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**Is there still a Gender Divide?**  
**Indigenous Women in Hong Kong since the**  
**Legitimization of Female Land Inheritance during**  
**the Post-Colonial Era**

**Fung Sheung Isabella Ng**

**Thesis submitted for the degree of PhD in Gender Studies**

**2015**

**Centre for Gender Studies**  
**School of Oriental and African Studies**  
**University of London**

**Declaration for PhD thesis**

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**Advisor: Rachel V. Harrison**

**Isabella Ng**

**Is there still a Gender Divide?**

**A study of indigenous women in Hong Kong since the legitimization of female  
Land inheritance during the post-colonial era**

The study explores the situation of women in the indigenous villages in Hong Kong during the post-colonial era, with particular reference to the walled villages in the New Territories. I look at how the legitimization of women inheritance right has an effect on gender dynamics since the ruling.

The research is the first detailed ethnographic study that takes on an important Issue about how the indigenous women status and gender dynamics have evolved in the post-colonial Hong Kong, an understudied topic by contemporary scholarship. It makes a valuable contribution to the study of rural women in conditions of post-colonial transformation and to Hong Kong studies.

The thesis is a comparative study of two walled villages based on a 24 –month of archival research and fieldwork between 2008 and December 2011. Through chapters that provide analyses of the women inheritance women movement, the political and socio-economic transformation in Hong Kong. I elucidate the indigenous women’s struggles that result from their intersectional position in the Hong Kong context. This context includes the long standing patriarchal dominance of the walled villages; a colonial history that promotes patriarchy in contradiction to the legal institution that legalizes women’s right to inherit and government policy that obstructs indigenous women from exercising their full rights. The findings demonstrate that change in the inheritance law serves as an important statutory rather than an active agent in promoting changes in gender relations in the walled village. Rapid urbanization and commoditization of the walled villages and wider

opportunities for walled village women in education, jobs are important factors that led to a shift in gender dynamics within the two villages. Difference in gender relations are salient across generations in both villages. In the walled villages, women, whether they are indigenous inhabitants or not, are both the products of political and socio-economic transformation within the greater Hong Kong context and the agents that induce changes to the walled villages since the legitimization of women inheritance rights in 1994.

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## **List of Abbreviations and Acronyms**

AAF – Association for the Advancement of Feminism

AIDS – Acquired Immunodeficiency Syndrome

BORO – Bill of Rights Ordinance

CC – Certificate of Compliance

CEDAW – Committee on the Elimination of Discrimination Against Women

DAB – Democratic Alliance for the Betterment and Progress of Hong Kong

HIV – Human Immunodeficiency Virus

HKSAR - Hong Kong Special Administrative Region

HKWCC – Hong Kong Women Christian Council

ICCPR – International Covenant on Civil and Political Rights

LegCo – Legislative Council of the Hong Kong Special Administrative Region

NGO – Non-Governmental Organization

NT – New Territories

NTL(E)O – New Territories Land (Exemption) Ordinance

NTO – New Territories Ordinance

OZPs – Outline Zoning Plans

SHP – Small House Policy

UNDP – United Nations Development Programme

## **Chapter 1**

### **Introduction: Asserting the significance of a gender divide**

#### *Into the field, where analysis begins and research questions arise*

In the smoke-filled meeting room of the two-storey village council complex in Wang Toi Shan, one of the best known walled villages in Hong Kong, 45 men of Hakka origin are holding their customary village council meeting, an activity that is still dominated by men and from which the women in the village are excluded. The air conditioners on the first floor are humming at full throttle and the doors of the balcony are wide open for villagers going out to smoke. The attendees have split themselves up according to gender and sit at two adjacent tables. Some sit there and whisper into the ears of their neighbours. Others pace the floor purposelessly. Some walk across the room to have a word or two with another villager. They then take the microphones and start to voice their opinions loudly. Sometimes they scream at each other in Hakka dialect, incomprehensible to me, as a Hong Kong resident and speaker of Cantonese. At other times, they shout in Cantonese. Whenever the argument becomes heated, they yell obscenities in a mixture of both Cantonese and Hakka.

Downstairs, in the village council building, a handful of women are wrapping sticky rice dumplings to celebrate the Dragon Boat Festival. Most of the women are elderly, although a few are also well over forty years of age. They seem immersed in the wrapping of perfect sticky rice dumplings that what goes on upstairs is

apparently of no concern to them. Or, to put it more precisely, it is not something that concerns them. As Anita Tang, a native from Yuen Long who has been married to a Wang Toi Shan villager for over two decades, once told me, “It’s not really for us to attend the meeting because it would seem odd if we showed up.” The women downstairs seem content both with their roles and with the division of labour as it is. The door of the village council building is wide open. But whilst the door of the meeting room is not shut, those women who know their place would never enter. Such women appear to have a settled acceptance of who they are, where they are and what they were. Nonetheless, this apparent sense of harmony is disturbing to me. I wonder whether it is really as clearly divided and well-organized in their world as it appears to be at first sight. Are the men and women really that contented with what they are and who they are? Or could there be something additional and more complex at play beneath the apparently tranquil surface of village life?

More than this though, I am troubled by a residual sense of anxiety. How will they take my presence within the village once they have realized that I am working on issues of gender? Will they talk to me? I am thinking that the best approach might be to leave quietly and unobtrusively when the meeting is about to adjourn, and to subsequently talk to them casually so that they will not be too defensive. However, just as I am thinking about my exit strategy, something bizarre occurs:

Tang Ji-yin, the chairman of the village council committee, calls my name and introduces me to the gathering of male villagers. “Now, it’s my opportunity to introduce Miss Ng to all of you. Miss Ng is a PhD student from London and she is going to stay in our village for two years to conduct her research. Could we have the honour of having Miss Ng speak a few words for us? Miss Ng, please.” I am so

shocked that, at the moment of hearing this, I feel as if I have received a physical blow. I do not know where to stand or what to do, mainly as a result of my lack of preparation. I keep looking around and smiling stupidly until Tang Ji-yin beckons me to walk forward towards the centre of the room. I take a deep breath, and with the microphone firmly in my hand, I start to introduce myself and explain why I am there – i.e. to do research. I tell them, plainly, that I am actually working on the status of men and women and how this has evolved in the village. I expect the villagers to respond negatively and to be hostile: but, instead, once I have finished my speech, they all applaud and I feel shocked as well as embarrassed as a result of their response. Tang then close my speech with his words, “We have the honour of having Miss Ng among us. Please try to help her and facilitate her research so that we can understand more about ourselves. People call us (male walled villagers) male chauvinists. Let’s see if this is really the case. Thank you, Miss Ng and welcome to being one of us.” The meeting closes with such massive applause that I am led to believe that this might be a good start.

\*\*\*

The unexpected nature of this initial encounter with the male villagers in the village council meeting was just the beginning of my experience in conducting the research that forms the focus of this thesis - a study of the gender dynamics in Hong Kong during the post-colonial era after the 1997 handover. The study is specifically inspired by the landmark ruling in 1994 that allowed indigenous women the right to inherit their parents’ land and property. This was not the case before 1994. Pre-1994, the walled villages, which practiced patrilineage, would only pass land on to the sons or male next of kin.

My research critically examines whether the ground-breaking legitimization of their inheritance rights has caused, or has contributed to, a change in the gender relations of the indigenous people. If changes have taken place, how far has the women's movement of 1994 contributed to these changes in the indigenous villages? If not, why not? Chinese inheritance law, as mentioned above, allows only male heirs to inherit land and properties from their patrilineal ancestors. This law dates from the time of imperial China (221B.C.-1911A.D.) and was subsequently preserved by the British colonial government as a goodwill gesture, designed to pacify the indigenous village people by ostensibly showing respect for Chinese customs (Baker, 1968; E. Chan, 1997; Jones, 1994). The status quo remained unchallenged until 1994 and in the past the law was rarely used. If it was, the complaint was always treated as a domestic dispute. It was only when a few indigenous village women took up the cause, joining forces with legislators as well as some of the local women's groups, when an uphill battle against the law was launched and became a burning issue in need of resolution (Jones, 1994; Loh, 2004; Merry and Stern, 2005; Stern, 2005).

The research is guided by a series of questions which links to the central aim of the research. Essentially, the study is trying to address the issues of how the walled village women have fared since 1997? Have things changed since the handover? And to what extent is the law used that protects indigenous women's inheritance rights, and which was passed in the colonial period? What are the dynamics that operate between the rural and urban women since the inheritance law was passed? Has anything changed since 1994 in terms of the rural/urban relationship and the rural/urban women's relationship to each other? These are

important questions to address and issues to explore in the later chapters in order to understand the walled villages in the post-colonial period.

In this study, I provide a detailed ethnographic account of two walled villages, in order to unravel the complexities of gender dynamics after the new legislation. In short, I consider how women have fared since they won the court case in 1994 and I examine the contemporary situation of the indigenous women. The thesis addresses a number of key issues: the first is whether some women have benefited from the advantages of the new law and, if so, how they have benefited in terms of inheriting their patrilineal properties. The second refers to social structures and cultural attitudes towards gender relations in the walled villages and how they have changed since 1994. I then examine whether there is a strong resistance that curbs the changes taking place within the villages and has successfully achieved this. Finally, I ask what changes have occurred, if any; or, of the status quo pertains, in what ways this relates to the new legislation in question

In order to draw the above conclusions, the thesis provides an in-depth investigation of the 1994 inheritance movement itself, demonstrating how it has developed since its inception and examining the power relations that pertain between men and women across generations. This includes how walled village women are at the intersections of class, gender, kinship and generations. This also involves looking at the questions of agency and choices the distribution of land and access to resources, along with the impact of the movement on gender ideology and gender relations in the two villages where I conduct my fieldwork.

***Breaking the silence: changing the law in 1994***

A considerable body of research has already focussed on the 1994 movement itself; its links to the political structure of Hong Kong as a colonial state in the pre-handover period; the position of women during the colonial period; and how it changed (E. Chan, 1997; S. Chan, 1997; Jones, 1995; Loh, 2004; Lui, 1997; Merry and Stern, 2005; Stern, 2005). There is, however, hardly any published material either on the status of indigenous women since the movement in 1992-1994 that changed the inheritance law, nor on whether the social structure of the village has undergone any transformation since the controversial law barring female rights of inheritance was overruled. Existing literature rarely considers either the present situation of indigenous women or what the gendered power relation has become since the change in the law. To anyone familiar with Hong Kong's women's movement, this case is one of the high points in its history given that it signifies the triumph of underprivileged women in overpowering the dominant patriarchal elite. Nevertheless, the extent to which real equality has been achieved remains unknown. It is within this context that I would like to explore how the status of walled village women has evolved since the ruling; what has changed; what remains the same; and what may have changed, not as a result of the ruling but due to other factors the urbanization of the rural village, the commoditization of the walled villages and the gradual blurring of the rural/urban divide and how women or at times men, serve as agents of change in gender relations in the walled village.

My overall conclusion, drawn over the course of my fieldwork, through comprehensive interviews and participation in events in the women's lives, is that changes have taken place within the walled villages. Such changes relate to changes amongst women across generations and men and women relations across generations. However, we still see that at the decision-making level of the two walled villages,



men are still controlling the process. As my primary source of ethnographic data, I intend to draw comparisons between two walled villages<sup>1</sup> – Wang Toi Shan and Shan Ha. The former has been open to outsiders for rental and sale of property, while the latter remains closed to residence by outsiders. This difference has permitted me to investigate if opening up a village to outsiders has any effect on the changes happening within the village and especially on gender dynamics. In this thesis, I argue that whilst legal reforms may not have led to a drastic transformation in the villagers' practice, it has instead provided a driving force and stimulation to those who choose to act against the customary practice of the village. Modernization and the education of the younger generation may also provide an impetus for changes in the relative status of men and women, especially in a community as tightly knit and strongly affiliated as that of the walled villages.

The arguments put forward in this thesis hinge on the intriguing legal success of the indigenous village women in the female inheritance movement that took place between 1992 and 1994, and on what has happened thereafter. Provoked by the furore over the threat of the brothers of a walled village woman named Cheng Lai-sheung with regard to property left by their father, a group of indigenous women began to join forces with the local women's groups and finally gained the support of legislators. They managed to overturn the century-old law that favoured male-only

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<sup>1</sup> Walled villages, also known as indigenous villages, are villages that span across the New Territories and have existed for the past 1000 years. They are known as walled villages because they are surrounded by wall to avoid attacks from pirates and from the neighbouring villages. Also the people were formally recognized by the British colonial government when they took control of the New Territories in 1898. They promulgated that any inhabitants whose ancestors were there before British colonial rule were considered indigenous inhabitants.

inheritance, and succeeded in bringing in a new law that allows women to inherit as well.

Before passing the new law in 1994, walled villagers, also known as ‘indigenous inhabitants’, were governed by the 1910 New Territories Ordinance. This ordinance recognized Chinese customary land law through which male villagers’ interests were firmly protected. The walled village tradition had been kept solid and safe for a long time. This was true until 1993, when a group of poorly educated walled village women, with the help of the women’s activists from the city, along with a few legislators, expatriates and scholars, took the matter to the government and drew attention to it in the media. That action sparked a long struggle, lasting almost two years, between the women activists and some of the indigenous women on one side; and, on the other, the rural patriarchs, represented by the Heung Yee Kuk, the de facto legislative body of the New Territories of Hong Kong. The issue, which seemed at first to be insignificant, became an important issue widely reported by the local, as well as international, media. Facing immense pressure from the legislators, as well as the media, the government finally changed its stance and supported a change to the century-old law. The move caught the rural patriarchs by surprise and led to a standoff between them and the local activists standing alongside the indigenous women. Confusion and pandemonium soon followed. A group of villagers, led by Heung Yee Kuk, the rural legislative body, attacked both the women activists as well as other supporters of a change to the law. Finally, on June 22<sup>nd</sup> 1994, the law that allowed indigenous village women the right to inherit their parents’ land and property was passed.

In order to understand why it was such a struggle for the few indigenous women, the urban activists and the legislators to have their voices heard, one must first consider the intriguing history of the New Territories, a product of the colonial rulers' manipulation by, and in a compromise with, the rural patriarchs, who were in control of village affairs.

### ***The Indigenous villages in Hong Kong***

#### *Indigenous villages in the early twentieth century*

An understanding of the history of the New Territories is an essential prerequisite for the analysis of how indigenous village women have been reduced to a voiceless social group. As Britain expanded its control over Hong Kong, with the New Territories being the leased land, the situation in the New Territories, which was leased for 99 years to the British, was more complex than that of Hong Kong Island and the part of the Kowloon Peninsula that had been ceded. To achieve administrative efficiency and control, the British government, working with local patriarchs in the leased New Territories, wielded a power that completely excluded women from participation in any decision-making processes.

The New Territories comprise all the outlying islands, together with the land between the urban areas of Kowloon and the border with Mainland China. The territories of Hong Kong comprise 1,104.38 square kilometres, of which 976.85 square kilometres (or 88.45%) constitute the New Territories, with 52% of the

territory's population living there (Hong Kong Government, 2009)<sup>2</sup>. In 1842, Hong Kong Island was ceded in perpetuity to the British, under the Treaty of Nanjing, whilst the New Territories were leased in 1898 for a period of ninety-nine years. It was this leasing arrangement that prompted the return of Hong Kong to Mainland China in 1997. Kowloon and the New Territories were developed principally in the 1950s and early 1960s. The islands, such as Lantau, Cheung Chau, Peng Chau, and Lamma remained populated by a scattered indigenous population dependent upon fishing and agriculture. The largest of the islands, Lantau, was, however, destined for rapid change due to it being developed to accommodate Hong Kong's new international airport. The mainland section of the New Territories has also become one of the most populous areas of Hong Kong, with over two million people living in a series of modern, densely populated high-rise new towns.



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<sup>2</sup> *Hong Kong Year Book* (2009). Available at: [www.yearbook.gov.hk/2009/en/pdf/Facts.pdf](http://www.yearbook.gov.hk/2009/en/pdf/Facts.pdf) (Accessed 10 May 2011).

Figure 1.1 Map of Hong Kong<sup>3</sup>



Figure 1.2 Map showing the details of New Territories<sup>4</sup>

Some of the old walled villages of the New Territories still remain, and it is here that most of the 700,000 indigenous people whose gendered relations are the subject of this thesis, claim to live. In practice, however, many male heirs now live overseas. In legal terms, the indigenous population refers to those who can trace their ancestry in the New Territories back through the male line to before 1898 (E. Chan, 1997; S. Chan, 2003; Jones, 1995)<sup>5</sup>. This includes what Baker (1966) refers to as the ‘Five Great Clans’ (五大氏族) of the New Territories (Tang, Hau, Pang, Liu, and Man), most being Cantonese, but at least one of which is of Hakka origin (Baker,

<sup>3</sup> Available at: <http://www.travelchinaguide.com/map/hongkong/> (Accessed: 5 May 2008).

<sup>4</sup> Available at <http://www.samsays.com/New%20Territories.htm> (Accessed: 28 September 2008).

<sup>5</sup> Indigenous villagers’ refers to those whose ancestors have lived in the New Territories of Hong Kong since 1898 (E. Chan, 1997; S. Chan, 1997; S. Chan, 2001; S. Chan, 2003; Jones, 1995; Merry and Stern, 2005; Wong, 2000). See also Chapter 3 and the discussion of Small House policy for further elaboration on the definition of the indigenous inhabitants.

1966: 27). These five clans secured for themselves the best agricultural land in the area, and “the best land of the New Territories was, and still mostly is, in the possession of these five clans, and certainly in the local situation it was these five clans which wielded power” (Baker, 1966: 30). Clearly, those who lacked land – i.e. women, as well as some of the lesser lineages, the fishing communities or boat people – lacked this kind of wealth and power.

The five clans that settled and scattered across the New Territories comprised the Tangs (鄧氏) who lived at first at Kam Tin, eventually moving to occupy Ping Shan, Ha Tsuen (which is located West of Yuen Long), Tai Po Tau and Lung Kwat Tau, to name just a few areas. The Haus (侯氏) arrived at Ho Sheung Heung at Sheung Shui (Baker, 1966: 26) and later broke up to form three branch villages. The Pangs (彭氏) live in Fanling. The Lius (廖氏) are from Sheung Shui and are still living together in one village cluster. The Mans (文氏) have two large groups, one at San Tin in Yuen Long, and another at Tai Po. The two lineages are known as the Man Clan (文族) (Figure 1.1).

These five clans, which migrated from other parts of China and established themselves in the New Territories from the Sung to Yuan Dynasties (Sung, 960-1279 A.D.; Yuan, 1271-1368 A.D.), became the dominant clans in the New Territories. Apart from occupying the best land in the area, they developed their own communes and ran their villages like self-sustaining units, not unlike a little empire. Within the villages, especially those of the five clans, they set up schools for their children and established rules for the division of land and property and for handling disputes between the villages. They even had their own village watch system to protect themselves from thieves (Baker, 1966; Cheung, 2007; J. Watson, 1983).

The self-sustaining system of the villages continued and was firmly held, even when the British government took over the New Territories as part of the agreement under the Second Convention of Beijing. When the British took control of the leased part of the New Territories in 1898, they experienced resistance from the local militia of the New Territories, staunchly confronting the ‘red haired devils’ (J. Watson, 1983: 480). Some even threw eggs and closed off the village gates in order to lock the British out (Cheung, 2007: 21). Though this Chinese resistance was short-lived, it did have a profound impact on the subsequent British approach to the leased area. The colonial government thought it would be in its own best interest to adopt so-called ‘indirect rule’ (Chun, 2000; J. Watson, 1983). Much has, however, been contested by scholars as so-called indirect rule is more a way to allow flexibility for the British to exert control and instil a number of their policies, especially land policy, which became more rigid than it originally was for the natives (Cheung, 2007; Chun, 2000). In 1899, the new government made its first non-interventionist announcement to the New Territories, thereby allowing them to keep their commercial and land interests. To the British, the leased part of the New Territories was then left to itself whilst British officials worked with indigenous leaders who, in turn, ‘consolidated their power in villages and market towns’ (J. Watson, 1983: 481). The rule further consolidated the traditional patrilineal and patriarchal practice in all aspects of life, a form of practice that has been prevailed in Southeast China (Freedman, 1958).

A major event that further consolidated patriarchal rule was the granting of full ownership rights in the New Territories. In 1905, the British passed the New Territories Land Ordinance. This ordinance contained specific legislative reference

to local Chinese villagers' customary right to land and property, as detailed in section 11: "*In any proceedings in the Supreme Court in relation to land in the New Territories, the Court shall have power to recognize and enforce any Chinese custom or customary right affecting such land.*"<sup>6</sup> At the same time, the British government began to impose strict registration of land ownership. It also abolished the original dual-landlord system under which a piece of land had separate ownership for the topsoil and the subsoil. The owners of the topsoil held the rights of cultivation as long as they paid rent to the owners of the subsoil, whilst the owner of the subsoil was entitled to collect the rent from them on the condition that they paid taxes to the government. The colonial administrator however, only allowed a single legitimate owner. The Land Ordinance eradicated the flexibility of the Chinese land system whilst the colonizer's apparent claim to preserve traditional rights gave the patriarchs leeway to exercise power over the New Territories policy. In 1910, after the preliminary legislative tasks had been completed in 1905, the New Territories Ordinance was passed. The ordinance stipulated the provisions for the land issue in minute detail. It was a major step in recognising the importance of custom relating to land, but also tried to merge local custom with colonial policy whilst, at the same time, showed recognition of the existence of the local customs and attempted to show the government's respect for them.

In 1906, the British colonial government introduced District Offices to the New Territories who claimed to work as traditional Chinese '*Fumuguan*' (paterfamilias-like officers for the local Chinese villagers). The colonizers increased their staff numbers in order to extend their control over the Chinese villages. In 1924,

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<sup>6</sup> Hong Kong Government, "New Territories Land Ordinance," *Government Gazette*, no.3 (1905: 8)



however, a group of elite citizens and clan leaders set up a committee called 'The New Territories Agriculture, Industry and Commerce Research Association' in order to fight for their land rights. In response to this, the British simply endorsed the political organization in order to absorb and resolve the conflict. Two years later, Hong Kong Governor Cecil Clementi acknowledged the group and asked its members to rename it the Heung Yee Kuk, the highest statutory advisory body of the New Territories.

As Cheung (2007: 6) pertinently indicates, the collaboration of the Heung Yee Kuk and the British government had a significant gender implication due to the fact that most of the political elites of the New Territories were local patriarchs. Furthermore, public elections were, in practice, male-only elections. Further developments in the latter half of the century (as discussed in greater detail below) allowed the male descendants absolute control over the female ones in terms of property ownership. This could never have happened were the British not playing an active role in co-operating with the New Territories' male elites.

Most scholars suggest that the claim of indirect rule by the colonial government over the New Territories permitted local patriarchs in the New Territories to exert full control over every aspect of the villagers' lives (Jones, 1995; P.W. Wong, 2000). Nevertheless, a significant number of scholars who have studied colonial history also note that the British government did not practice non-interventionism in the way that it is usually assumed to have done. In fact, they have found that the British government employed selective intervention and non-intervention to suit their strategic need for effective control (Cheung, 2007: 21; Chun, 2000: 31). Both Cheung (2007) and Chun (2000) observe that the British approach

‘to rule as it pleases’ is a complication of the existing social structure. Most importantly of all, the collaboration of the local male elites with the colonizers compromised the rights of women in the indigenous villages. That was not obvious in the first half of the twentieth century due to the rest of Hong Kong’s women at that point, being still very much under male control and confined to the domestic realm. However, as Hong Kong’s economy began to take off in the latter half of the twentieth century and women in urban Hong Kong were beginning to enjoy more rights than before, the unequal treatment of indigenous village women became more apparent due to the fact that indigenous women still had no rights of inheritance. Other developments in the indigenous villages further aggravated the situation of indigenous women’s rights in the New Territories. For example, the shifts in gender relations following the introduction of new forms of marriage, including the relaxation of marriage forms such as co-habitation; the growing rate of inter-marriage between the urbanites and the indigenous inhabitants; the moving out of the indigenous inhabitants to the city area after marriage; and the increasing level of inter-marriage between male indigenous inhabitants and mainland Chinese women. The early twentieth century practices of the walled villages faced the challenge of urbanization and changes in the late twentieth century, as discussed in further detail in the following section.

#### *Indigenous villages in the late twentieth century*

In his book, *A Chinese lineage village – Sheung Shui*, Baker (1968: 185) described how the indigenous village has dramatically transformed due to modernization:

Kinship as a basis of community organization was fading. Lineages themselves became less important as their numerical dominance of the general population was lost, and as their fields were sold. In addition, the growing Westernization of the lineage had been striking at another pillar of the traditional marriage pattern, the institution of arranged marriage. Young men and women who had received a modern education in the lineage's fine school and elsewhere were no longer content to have their marital future dictated to them by others. Marriage according to 'romantic love' and 'free choice' gradually became more important, until at the present it is the dominant form. This has had the result of bringing into being a new pattern of marriage. For the poor, the farmers, and those who work in the village or in Shek Wu Hui, the marriage area is limited to the standard market town, with the possibility of a wider choice according to the area from which school classmates are drawn.

Much of Baker's (1968) account provides an accurate observation of the changes that have taken place in the villages since the 1960s. However, a number of events also took place around the time in which the villages seemed to be 'modernizing'. Yet those events, rather than leading to the opening up of the villages and a change of perception regarding kinship and gender relations, instead further strengthened and legitimized the existing patrilineal practices of the New Territories.

The conflict between tradition and modernity that is illustrated here constituted a significant source of tension, expressed in terms of the continuous tension between the Heung Yee Kuk (the rural council), and the British colonial government which was as Chun (2000) points out, fuelled by more than the struggle between the 'colonizer' and the 'colonized'. It was also a significant struggle for position in the new and 'emerging global order' (Chun, 2000: 146) in the 50s and 60s, in the Cold War aftermath of the World War II - which threatened to destabilize Hong Kong. The colonial government at that point attempted to create more

channels of communication at the local level in addition to developing new towns in the late 70s and 80s. This, according to Chun (2000), leads to the conclusion that the government's role in 'transforming the social landscape has penetrated all walks of life' (Chun, 2000: 146). On the other hand, the Kuk, which was not totally trusted by the government, was constantly embroiled in nasty bitter factional struggles. Nevertheless, in terms of the land policy, the factions encountered fewer differences when it came to protecting their interests in land.

Another event that caused continuous distrust and tension was the implementation of the Small House Policy (*dingluklzing3caak3* 丁屋政策) in 1973 - a consequence of the continuing disputes that prevailed between the British and the Chinese villagers over their traditional right to land. The policy formalized the term 'indigenous inhabitant'. According to Cheung (2007), the term 'indigenous inhabitant', which originally referred to the predominantly Chinese inhabitants in the New Territories, became a sexist term when the British formalized it for the Small House Policy. The term recognized only patrilineal male descendants of those men who were permanently living in the villages in the New Territories on July 1, 1898. The now highly-specialized category excluded women and immigrants who moved in after 1898. With the new policy, the patrilineal male descendants of the villages could justify their claims to land and, at the point when there were no direct male descendants but only female descendants, the male next-of-kin could use the New Territories Land Ordinance to justify his claim to the land over the daughters of the deceased. Female villagers had no right to ask for the land and property of their own family. They were labelled through and through as 'Other', not only by unwritten Chinese customs, but also by the 'colonizers' written law.

In fact, the passing of the new inheritance law allowing women to inherit, directly contradicts the Small House Policy. The contradiction has become a major obstacle in allowing indigenous women to fully exercise their rights. Even now, the government has yet to find a resolution to the problem. The existing Small House Policy, which allows any male indigenous inhabitant to build himself a small house on a suitable site within his own village during his lifetime, runs counter to the new law of inheritance, in principle as well as in practice. To better examine the issue since the inheritance law passed in 1994, it is important to understand the issues based on the studies and literature which chronicled the development of walled village in Hong Kong and related works in China. The review of literature suggests that to understand gender relations in the contemporary Hong Kong context, it is essential to look across generations in the villages.

### ***Cross-generational approaches to the study of gender in rural Hong Kong and China***

As noted above, the issue of gender relations in the walled villages of the New Territories during the post-colonial period has, to date, been largely ignored by academics. A review of the existing literatures on gender relations in the New Territories and rural China reveals a growing concern with gender dynamics across the rural population in China, though much less so however, in rural Hong Kong. Even early studies of gender relations in rural Hong Kong and China paid little attention to generational differences in terms of gender dynamics and how they related to social changes. Gender relations of the New Territories and South China were never the main focus in the study of Chinese village life in early anthropological works on China. Early research on Chinese villages in the New

Territories and South China were mainly conducted by male anthropologists who focused on kinship and lineages (Baker, 1966, 1968; Faure, 1984; Freedman, 1958, 1966; J. Watson, 1975). These scholars took very little interest in the life of village women, whilst any analysis of women was always incorporated into lineage and kinship discussions. Freedman's work, for example, focuses upon how lineage is practiced in southern China, and succeeds in identifying South China as one of the most sophisticated communities in its practice of the lineage system. However, Freedman's purely descriptive account of the kinship system fails to address women's role in the rural community and therefore reduces women to the position of 'sidekick'. Baker's (1968) vivid study of the five great clans of the New Territories represents one of the most successful works to substantiate Freedman's argument about the extensive practice of lineage in southern China; yet it disregards women's roles in village life. While these early studies are no doubt important contributions to the understanding of rural China, their overwhelming emphasis on the descent paradigm seems somewhat one-dimensional. At the same time, all the research focusing solely on patrilineage has taken women's invisibility in the study of Chinese villages for granted. This has much to do with studying genealogies, a form that leaves only men with their names and treats women as nameless (R. Watson, 1986).

The position of village women as peripheral in the study of Chinese village life continued until female anthropologists began to explore their lives. Previous ethnographic studies of gender relations offered invaluable insights into the understanding of the complexity and multiplicity of this topic. In her ethnography of Taiwanese village women, Wolf (1968, 1972) explores both the complexity and intrigue found within a household. Her work focuses on the struggle and strategies

used by women to secure their places in the household. Her seminal discussion of uterine families, a tactic used by women to secure their power through cultivating their ties with their sons, shows how village women wield their power under patriarchal dominance. It also provides a novel perspective to counter the stereotypical image of victimized Chinese women,

Johnson's (1975) study of women and childbearing in Kwan Mun Hau village, a village which lies relatively close to the urban part of Hong Kong compared with other walled villages, constitutes an important step in the move towards an exclusive focus on village women and reveals the important interplay between societal changes and the evolution of women's role in the village. Her research provides a formative framework to indicate how generations of women live in ways relatively different to each other in some respects, yet it contains no detailed account of why this is in terms of gender relations.

Rubie Watson's (1981, 1985, 1986) study of the walled village of Ha Tsuen in the New Territories in the 1980s explores gender relations from interesting perspectives. Like Johnson's (1975) study on Kwan Mun Hau in Tsuen Wan, Watson focuses on the everyday life of the women and their day-to-day interactions with fellow villagers. Both studies reveal how women, in general, were still living under patriarchal dominance. R. Watson (1981), in her work on Ha Tsuen, has tried to understand the Chinese community from a class perspective, a completely new approach compared with earlier studies focusing on the study of lineage. Watson focuses on marriage and affinal relations, an aspect which, in her words, is, 'firmly grounded in the world of class difference'. She explores how this aspect of community life in Ha Tsuen differs from research undertaken in other parts of China.

Like Johnson's research on Kwan Mun Hau village, Watson analyses gender relations in the walled villages by focusing on the village community and the changes it undergoes. Yet, neither Johnson nor Watson take the political intricacies of the colonial government and the walled villagers into much account. It is Cheung Siu-keung, who conducted his fieldwork in one of the walled villages in the 1990s before the end of colonial rule, that began to examine the role of British government in affecting the gender relations in the walled villages.

In his book, *Gender and Community under British Colonialism*, published in 2007, Cheung directs us towards the importance of studying gender dynamics in the walled villages in relation to colonial policy. This, he argues, is essential in truly understanding Chinese village life in the Hong Kong context, an aspect that has been neglected in the study of walled villages. As Cheung (2007: 6) indicates,

[t]he subtle but consequential interplay between the Chinese cultural legacy and British colonial legacy in the New Territories of Hong Kong is not gender neutral. As the current feminine critiques and gender studies point out, the Chinese village communities are perversely patriarchal.... Behind the mask of cultural sensitivity in their policy of indirect rule, the British colonizers were not noninterventionist. They sought compromises with the local Chinese patriarchs and male elites for realpolitik by endorsing and even amplifying the latter's power, privileges, and interests through colonial legalization and administration.

Cheung's (2007) work is significant for the present work because it is the first of its kind in the ethnographic study of the New Territories that focuses on how colonial policy has engendered the rural village and consolidated village men's authoritative position. Cheung's works are inspired by feminists and anthropologists in their investigation of "the issue of gender in the discussion of Chinese villages in the New



Territories of Hong Kong during the colonial era” (Cheung, 2003: 319). His 2007 work proceeds to turn the focus away from the long-term descent paradigm and the analysis of class, and instead to the importance of colonial and political influence onto engendering the walled villages in Hong Kong.

Cheung’s (2007) findings resemble in several key aspects those deriving from studies of gender in rural China. His discussion of the interrelation between politics and the community aspect reveals that government policy is an integral part in shaping contemporary gender dynamics in the rural villages. As Evans and Strauss (2011:6) accurately point out in the special journal issue *Gender in Flux: Agency and its limits in Contemporary China*, with reference to all the constituent articles, “...not only is the state very much a structuring presence, but it is so in ways that are directly linked to the past, including the Maoist past. Virtually all these articles incorporate narratives in which the state establishes the parameters within which gendered choices are made.” The observation made here by Evans and Strauss resonates with Cheung’s argument about the importance of the government’s presence in shaping gender dynamics. Evans and Strauss reflect the importance of state presence as a concern in the study of gender relations in contemporary China; and this focus is central to the study of women in China. Few sinologists focus on state policy and its varied impact on rural women. Based on data gathered from various sources (ranging from government material, authoritative articles, editorials in the press, public reference groups, case studies from secondary sources and small field studies), Croll (1985) examines the political and socio-economic rural policies between 1949 and 1984. She highlights the implications that such policies have had on peasant women regarding their roles in production and reproduction. In her pioneering study of changes within the marriage institution during communist China,

Croll (1981) identifies the extent to which the marriage system has changed in the new China. Her work, as noted by Judd, is ground-breaking “*in linking the study of historical directions in polity and economy with local and gendered practices in everyday life*” (Judd, 2011: 106). Following Croll’s (1981) direction, Judd (1994), in her study on women in rural North China, also explores the relationship between state policy changes and rural society. As with Cheung’s work on Hong Kong’s rural villages, Judd (1994) also points out that those policy changes imposed by the Chinese government, like the colonial policy in Hong Kong, cannot be viewed as gender-neutral. In keeping with all other ethnographic work on China, Judd looks into the implications of the reform programme on the lives of rural women, most notably from the perspective of the women within the household and kinship. Her (1994) concept of customs describes the day-to-day practice of the people in the Chinese context, revealing how people connect both to the village and the state whilst still adhering to their village’s tradition. According to Judd (1994: 255), ‘custom’ is a term “common within ordinary Chinese discourse, in which people reflect on their social patterns.” Judd’s argument is that there is an identifiable flexibility at the level of practice at the village level, as far as gender dynamics are concerned. Her articles on *Families We Create: Women’s Kinship in Rural China as Specialized Practice* (2009) and *Family Strategies in Rural West China* (2011) again offer invaluable insights for my study. Judd’s research on female kinship explores how women create their own ‘lineage’ by ‘rupture’ and by ‘space’ (Judd, 2009: 30). She examines how women, in a still patrilineally dominated society, recreate their own families through rupture and different spaces by leaving their natal home. Very often, because of rural-urban migration, wives and husbands can be separated for a long period of time. The situation allows women to single-handedly raise and nurture their own ‘lineage’, financially as well as emotionally. Judd’s (2009) new approach

to the study of women from the perspective of kinship resembles in some key respects the early work of Margery Wolf on the uterine family. The new approach allows us to re-examine women, as well as the kind of new 'kinship', in the fast-changing world of China. Judd's recent study on family strategies in rural West China, which again offers invaluable insights for my own arguments explored in this thesis, demonstrates how migration and fluidities in mobility have affected those who do not move and how these rural dwellers, in Judd's words, "recreate and repopulate their social worlds" (Judd, 2011: 105). Similarly, Tamara Jacka's (2006) study on rural migrants in China also offers a new lens on women in contemporary China viewing how gender relations in the countryside provide particular motivations for women's out-migration. Jacka identifies how these women suffer from discrimination in the city in addition to a new sense of autonomy and freedom from migrating to the city.

My own work, which departs from the previous focus on kinship and class in the study of gender relations and rural village life outlined above, looks instead at changes in gender dynamics through a study of differences across generations. Studies on gender and women in rural China have also helped provide insights and new perspectives which are of relevance to the current study. Bossen's (2002) work, for example, is important in demonstrating the significance of studying generations to understand gender and development in China. Yan (2006) looks at how young women in rural China are now taking control in their choice of partners, in arranging their marriage and in negotiating marriage details. He further reveals the transformation in terms of the individual as an agent in conducting marriage transactions which include bride wealth (Yan, 2009). Zhang's (2007) research focuses on the intergenerational relationship between mothers and daughters and

how political, as well as socio-economic factors, cause such discrepancies. May (2011) reveals the new phenomenon of rural sons being encouraged to work in the city and returning to marry in the villages, whilst rural women are pushed to marry those who are either from or in the city as a 'uniting bridge' if they can succeed. All these studies demonstrate the importance of understanding gender relations by studying the new generation in a fast changing Chinese society. Fieldwork has led me to understand that in order to comprehend the transformation of gender dynamics in the walled villages in the contemporary Hong Kong context, it is important to study differences across generations, how they influence each other and how this is interwoven with wealth (class) and kinship, with kinship being an element struggling to survive in the walled village community and still important in terms of the vested interests of the walled villages. This is predominantly due to the fact that such villages are undergoing processes of dramatic change, politically, socially and economically. Kinship, as explained earlier, is still important but not an adequate tool by which to learn about gender relations in a village; whilst class, which used to be relevant in the study of the villages during the 1980s, is still important in defining the new gender dynamics since so many of these villagers have become rich through the sale of land and by renting properties. Many made their fortunes overseas and subsequently returned. The intersection of class, kinship and generational differences in the walled village therefore stands as a central concern in the examination of gender in this thesis. Gender, in the context of the Hong Kong walled village, exemplifies the multiple identities that intersect with one another and which, in Shields' (2008) terms, are "mutually constituted", indicating that one category of identity takes its meaning in relation to another; "reinforce", meaning a dynamic process an individual actively engaged; "naturalize", meaning that identities in one category come to be seen as self-evident or "basic" through the lens of another

category. Walled village women and men each carry different social identities or categories of difference constituted by kinship, class and generations, which they simultaneously enforce upon and contest with each other. The study of how these categories produce differences is important to understand gender dynamics in the contemporary walled village context. This also shapes my research concerns since the gender dynamics within the walled villages may be more complex than they initially appear with all these categories of identification reinforcing and contesting each other.

My study has been facilitated by all the above works in terms of their anthropological method of ethnography. They have demonstrated the gradual evolution from a purely ethnographic fieldwork – the close study of a community - to the merging of broader political and social aspects into ethnography. This is especially important when we consider the changes within Hong Kong after the handover; to what extent the colonial legacy has remained in effect in the walled villages after the handover of sovereignty; and whether the legal changes in 1994, five years before the change of sovereignty, has had any impact on the status of women. My research further contributes, in terms of the study of gender relations, to the analysis of gender dynamics by adopting a new perspective: in the contemporary walled villages, with the blurring of the urban/rural boundaries and easy accessibility to the outside world, new generations are exposed to urban as well as global values, challenging the tradition and customs of what they were made familiar with in the village. Studying and comparing them with their older generations reveals the multifaceted and complex reality of contemporary walled village society.

***Gender Studies in the New Territories: Connecting land rights and land struggle with post-colonial Hong Kong***

One further significant issue which is essential to interrogate when studying gender relations in the walled villages is that of land rights and land struggle within the New Territories. The issue of land is of quintessential importance to the study of the customs and practices of a traditional Chinese society in a colonial setting. It is also an issue that generates many problems and controversies in contemporary Hong Kong - an island that allows the indigenous inhabitants to be ruled under customary law should issues, especially regarding land, result in disputes. Studying land rights and land struggle in the New Territories is nothing new. There exists a considerable amount of literature on land rights and struggles in the New Territories during the colonial era (E. Chan, 1997; K.S. Chan, 1998; S. Chan, 1997; Chiu, 2006; Chun, 2000; Jones, 1995, Lai, 2000; R. Watson, 2011; P.W. Wong, 2000). Studies of land rights in the New Territories mostly concern colonial policy and its impact on the indigenous inhabitants (K.S. Chan, 1998; Chun, 2000; Lai, 2000; Loh, 2004; Hopkinson and Lao, 2003). Chun (2000: 14) argues, in his ethnographic study, that it is important to know the British colonial policy in order to “understand customary practices and institutional patterns in Chinese local society as well as the ongoing dynamic of social change”. S. Chan (1997) looks into customary succession, based on her ethnographic work from the 80s in the Pang village of Fanling in the Northern New Territories, arguing that even though patrilineage is still the dominant mode in the walled village’s customary succession, daughters, who can prove to be close (*qin*) to their parents, could in some situations, inherit their property. Chan further points out that the contemporary commoditization of housing and land in the New Territories has led to a constant negotiation between the ‘tradition’ of keeping the

village intact, and the new social reality of selling land and houses for commercial profit. K.S. Chan's (1998, 2012) fieldwork argues that the customary practice of patrilineage still firmly endures - demonstrated by fieldwork data from the Pang village of Fanling in the Northern New Territories. He points out that the case of *qin* (closeness), as suggested by S. Chan (1997), in fact relates more to calculation than to closeness. In other, earlier research work, and bearing similarities to S. Chan's (1997) observations, K.S. Chan (1998) also highlights the tension between societal change and the traditional practice of transferring housing property in the walled villages. He reflects how the indigenous inhabitants negotiate these tensions to legitimise their claims without offending the 'tradition'. In his 2012 article, K.S. Chan goes on to examine the changes of inheritance within the Pang's village in Fanling. He concludes that even when women's property rights are permitted, this is not based on gender equality. Rather, it is subject to negotiation; and the granting of property rights to women is often situational. From a legal perspective, Jones (1995) argues that the vested interests of rural patriarchs and the dominant patriarchal values of the New Territories walled villages "have intersected colonial rule to reproduce this system of settled inequalities" (Jones, 1995: 173). This results in male walled villagers being sole benefactors and women being silenced. Lai (2000), in his study regarding the policy and history of the Small House Policy (a policy that allows only male indigenous inhabitants to erect a house of three storeys within their village compound), observes that the male indigenous inhabitants' defence of their interests is not 'without grounds' (Lai, 2000: 208), even though the policy is discriminatory in nature. He shows how "respect for the interests of certain classes of citizens based on earlier political and historical reasons run into conflict with abstract principles that have current universal acceptance" (Ibid.: 229).

The tension between, on the one hand, the growing awareness of universal principles and, on the other, the maintenance of the rights of a special group to preserve their tradition, was hotly debated in the 1990s in Hong Kong. Several studies are thus devoted to exploring the claim for rights by indigenous inhabitants. E. Chan (1997) looks into the nature of the movement, arguing that all those participants are “*Jyuh Fohng Neuuh*” 絕房女- meaning that the male line cannot be continued and their goal is not to defy the patrilineal nature of inheritance, but to use their identity to fight for their rights and enable them to have dialogues with their natal kin. Merry and Stern (2005, 2006) examine and interpret the 1994 female inheritance movement from a legal angle. They argue that the movement itself succeeded in translating the issue of land rights , considered a domestic dispute unrelated to the Hong Kong community into a broader international issue of human rights. It was able to arouse both local and international attention, which subsequently changed the century-old law. R. Watson, in her 2011 article on women’s rights and what is changing in terms of female inheritance in Hong Kong, is the only author that attempts to explore whether the 1994 legislation has had any effect on the women’s inheritance situation. However, even though Watson does cite a few cases of married village women moving into their natal village to take up residence, as in K.S. Chan’s (2012) recent study, she does not conclude whether these changes occurred because of the change in legislation or because of underlying socio-economic transformations. As R. Watson (2011: 225) claims, “[u]nfortunately, there are as yet no detailed, ethnographic studies of the impact of Hong Kong’s 1994 inheritance legislation...” As studies of land issues and gender in the New Territories have suggested, an in-depth ethnographic study and a new focus is needed to fully comprehend the gender dynamics in the walled village in the post-colonial era. This needs to be based on a study of the interplay of current policy towards the



indigenous inhabitants and the new law on land inheritance and its tradition; and it requires analysis in conjunction with an assessment of socio-economic transformations in both the villages and the outside world. Existing studies are useful insights regarding the land issue under colonial rule but are inadequate for an understanding of the interplay between the law, current government policy and rapid socio-economic transformation - brought about by a narrowing rural-urban divide – and how all these issues might affect female inheritance. This transformation is one of the most important aspects in the discussion of gender relations in the New Territories, together with that of the changes experienced by men and women in their perceptions of themselves when the internal dynamics within the walled villages no longer remain unaffected by the outside world. This illuminates our understanding on the impact of the change in inheritance law to the walled villages in the post-colonial era.

### ***Conceptual framework: Gender, intersectionality and postcolonialism***

Inseparable from the key issues raised in this dissertation is the question of gender relations. Theorists have cautioned against the oversimplification of gender as a term that denotes a simple binary reference. Butler (2000: 19), in her work *Gender Trouble*, has pointed out the problem in regarding ‘woman’ as a unifying category without considering “the multiplicity of cultural, social and political intersections in which the concrete array of ‘women’ are constructed”. She goes on to note that, “[g]ender is a complexity whose totality is permanently deferred, never fully what it is in any given juncture in time” (Ibid.: 22) Collins (2000) has warned that gender must be understood in the context of power relations embedded in social categories, in that its very definition is constituted as it is, not in a static binary state, but also in

how gender operates at the points of intersections with social, economic and political milieu.

In discussing the multiplicity of gender and the gender dynamics which pertain in the walled villages, I take as central to my research in this thesis the concept of intersectionality. Intersectionality provides the framework by which I come to understand the complexity of gender within a community, and sheds light on the ways in which discrimination and marginalization have an impact on women's lives. It further sheds light on why women of the same community continue to experience the same disadvantage while exposing themselves to different experiences with the outside world. The way in which women or men respond to oppression, or discrimination, is clearly manifested in different ways as a result of their ethnicity, status, education levels, class and age. Intersectionality may be defined "as a theory to analyse how social and cultural categories intertwine" (Knudsen, 2006: 61). As Shields (2008: 302) notes in her article *Gender: An Intersectionality Perspective*,

The specific intersectionality varies by research context, but a consistent thread across definitions is that social identities which serve as organizing features of social relations, mutually constitute, reinforce, and naturalize one another. By mutually constitute I mean that one category of identity, such as gender, takes its meaning as a category in relation to another category. By reinforce I mean that the formation and maintenance of identity categories is a dynamic process in which the individual herself or himself is actively engaged. We are not passive "recipients" of an identity position, but "practice" each aspect of identity as informed by other identities we claim. By naturalize I mean that identities in one category came to be seen as self-evident or "basic" through the lens of another category.

Intersectionality has arguably become the most important conceptual, even theoretical development, in contemporary feminist studies (Conaghan, 2009; Davis, 2008; McCall, 2005, Yuval-Davis, 2006). The term was coined by Crenshaw (1991a) in her analysis of how women of colour are being deprived of their rights simply because they belong at the crossroads, are thus “multiply-burdened” (Ibid.: 57), and “suffer from the effects of multiple-subordination” (Crenshaw, 1991b: 1251).

An intersectional approach to the study of gender focuses on the complex entity of social categories, influencing and affecting each other through time. As Shields (2008: 303) further comments,

the advantages of using intersectionality to look at gender, are “[f]irst, it promised a solution, or at least a language for the glaring fact that it is impossible to talk about gender without considering other dimensions of social structure/social identity that play a formative role in gender’s operation and meaning....Second, intersectionality seemed a generally applicable descriptive solution to the multiplying features that create and define social identities. It is not race-class-gender, but also age, ableness, sexual orientation, to name the most salient.

Intersectionality takes its place as the most influential theory in feminism because, as Phoenix and Pattynama (2006: 187) succinctly point out, it provides a “*handy catchall phrase that aims to make visible the multiple positioning that constitutes everyday life and the power relations that are central to it*”. As Hancock (2007) notes, the concept has been used in a variety of studies. It has evolved from focusing on studying women of colour (Buitelaar, 2006; Crenshaw, 1991a, 1991b; Brah and Phoenix, 2004) to applying the concept to other groupings of people: the marginalized and the mainstream; the advantaged and the disadvantaged; as well as in other fields and contexts. Examples of this can be seen

in Bredström's (2006) use of an intersectional perspective to engage critically with feminist HIV/AIDS research and Knudsen's (2006) analysis of minority cultures and identities in Norwegian textbooks. Their studies suggest the possibility of expanding intersectionality from gender and race that appear mainly in the American context. The application of intersectionality to gender, ethnicity and class in assessing the axes of domination to a marginalized group proves useful to understand the complexity of a marginalized group's situation. The use of intersectionality in these studies proves to be invaluable insights for this thesis.

Like Bredström's and Knudsen's studies, I am not only adopting intersectionality as simply a conceptual framework to examine the oppression of a marginalized or disadvantaged group. By applying the concept of intersectionality, I am trying to explore how class, kinship and generations, each as a social cultural category intersecting with the category of gender in the walled villages in a process rather than simply a point of location for each category. I see these categories operating interactively as an ongoing and dynamic process affecting an individual. In this thesis, I look at how walled village women across different generations of different classes working within the kinship system are experiencing different gender dynamics. This would help contribute in the study of intersectionality by recognizing in the non-Western, Chinese context that the intersections of class, kinship and generations are important to understand gender in the contemporary Hong Kong and even in the Chinese context. It also helps to understand the extent to which the legal change has impacted the walled village since the women inheritance movement.

Intersectionality helps to analyse how oppression or discrimination occurs as a result of a group of people at a particular intersection or location of categories. This is especially useful in the context of the scrutiny of gender dynamics within the walled villages and in examining how urbanites, especially urban women, receive relatively differential treatment within the same Hong Kong community. To understand how walled village women were treated differently, and what led to the inheritance movement in Hong Kong and the positions of the walled village women, one needs to examine the historical context of Hong Kong.

To analyse the distinctive situation of indigenous village women and their relationship with other groups, this study applies intersectionality to an understanding of indigenous women's multi-layered and interlocking relationships with other related groups, namely indigenous men, urban women and the British colonial government. Intersectionality also enables an understanding of the power relations that pertain between indigenous men, urban women and the British colonial government; the social and cultural divisions that shapes such power relations; and the generational differences between indigenous men and women and the power relations that pertain between them.

As noted above intersectionality is a concept that explores the complexity of gender. By using intersectionality in my analysis, I intend to examine how oppression and discrimination operates in the lives of walled village women, and whether the changes that have occurred have altered their status. To look at this from the perspective of intersectionality means to look at walled village women, not simply in terms of sexual inequality, but also at the way in which they often find themselves in simultaneous and compounding relationships of subordination or

discrimination. This approach allows for an exploration into legal, as well as customary practices at the village level, and at the domestic level. In discussing the legal loopholes in inheritance law, and the structural dynamics of the British colonial government and the indigenous inhabitants, intersectionality can be useful in shedding light on how the problems of the dual-law system and the Small House Policy obstruct women's legitimate claims of land and property, in spite of the overturning of the centuries-old law allowing male-only inheritance. Intersectionality, as Davis (2008: 71) keenly argues, is *"ideally suited to the task of exploring how categories of race, class and gender are intertwined and mutually constitutive, giving centrality to questions like how race is 'gendered' and how gender is 'racialized', and how both are linked to the continuities and transformations of social class"*. In the case of indigenous women in Hong Kong, whilst they may not be 'racialized', they are nevertheless classified as a distinct group that can be included neither in the group 'women' (urban women) nor in the category 'indigenous' (male). Just as Crenshaw (1991a) remarks with reference to black women, the Hong Kong village women are identified with a liminal term - 'indigenous women'. Their specific identity, especially when it is situated in the particular cultural context of walled villages and the post-colonial Hong Kong, is better examined together with post-colonial feminist theory, which shares the affinity of studying women in the nexus of political, social and cultural contexts.

Much of the discussion focusing on the study of women in the recent decade criticises the inadequacies that result from the treatment of 'woman' as a single category (Carby, 1980; Hooks, 1984; Mohanty, 2003a, 2003b, 2003c; Suleri, 1994). In this respect, intersectionality acts as an interplay with the post-colonial theory with the study of gender, which is particularly useful in this thesis (Kandiyoti, 1988;

Mohanty, 2003a; Spivak, 1988). Such scholars criticise early feminists for homogenizing race in the study of gender. Drawing on the work of post-colonial theory, post-colonial feminist theorists believe that Western feminism does not serve the purpose of showing these different stories. They believe that the act of globalizing and homogenizing women has glossed over the diversity of women in terms of their history and experiences. They criticize Western feminists for treating women across the globe as if they were a monolithic group, and for disregarding the differences among the originally heterogeneous group whose members share the sociological definition but have diverse experiences (Alwis and Jayawardena, 1996; Brah, 1991; Collins, 2001; 1996; Jayawardena, 1986; 1995; Mohanty, 2003a; Suleri, 1994). Post-colonial feminists are particularly concerned about how colonialism and globalization have shaped the former colonized territories, and so subsequently challenge the privileging of Euro-American feminisms over other feminisms.

Post-colonial feminist theory helps understand the distinct situation of Hong Kong and the situation of indigenous women. Once a century-old British colony, today's Hong Kong has been influenced greatly by the previous colonial administration. One of its striking impacts on Hong Kong life is the legal system, which has split Hong Kong and the New Territories into two different legal zones. The effect on the village women has been drastic and in the late 20<sup>th</sup> century, they were still subject to strict patriarchal control in the name of 'tradition'. The hegemonic discourse of the elite class dominated and subsumed the voices of indigenous women – at least until a few indigenous women struck back in the 1992 movement.

With the Hong Kong local government taking over from the colonial government in 1997, one may wonder to what extent the colonial legacy remains, and in the context of the walled villages, to what extent the privileges of the walled villages can be retained.

Hong Kong, like other countries which were once the colonies of Western powers, is the product of a peculiar mix of colonial rule and local customary practice, combined to serve the convenience of the colonial regime (Cheung, 2007; Chun, 2000). Each colony has its particular history and it is therefore difficult to arrive at a uniform analysis (Collins, 1989; Mohanty, 2003a, 2003b). Collins and Mohanty emphasize that Third World women should be understood in their own cultural and historical context. Patriarchy, generally defined as a form of power characterised by the supremacy of males, can also be understood in the Hong Kong context in terms of its particular historical, political and cultural context.

Years of British colonial domination, as scholars who study Hong Kong's colonial practice and social and familial network agree, have led to the perpetuation and consolidation of patriarchal practices in many ways (Lee, 2003; Lau, 1982; Jones, 1995; Pearson and Leung, 1995; Salaff, 1981). Both Lau (1982) and Salaff (1981) agree that the distinctive form of Hong Kong Chinese familialism was an adaptation to the colonial condition that forced individuals to rely on familial networks as their safety nets. According to Salaff (1981), family members had to pool their resources in order to survive and advance, contributing to the economic wellbeing of the family as a whole – and this was especially true for women. Instead of freeing women from subservience to the patriarchal family structure, post-war industrialization forced them to contribute to the family income or to pay for the



education of their male siblings. Salaff (1981: 273) also observes that whilst women's economic contributions earned them more power and autonomy in terms of domestic decision-making and marriage choice, they were "not accorded privileges and power commensurate with their contributions".

A further interesting effect of colonialism on gender relations in Hong Kong is the unconsciously differential treatment of rural and urban women. With the dual-law system firmly in place, women in urban Hong Kong and the women of the rural New Territories were subject to different legal systems. Due to the colonial government's acquiescence to the demands of the ruling patriarchs in the New Territories, women in the New Territories were not only subject to strict elitist and patriarchal control, they also encountered the ignorance or indifference of their urban counterparts. With the staggering economic takeoff that occurred in Hong Kong from the 1970s onwards, urban women were able to enjoy educational opportunities and closer proximity to modern careers and jobs in the urban area. Walled village women in the New Territories, even with the government's rapid development of the new towns, were still being taught and educated in their own village schools and systems. This lasted until the 1990s with village schools still remaining popular amongst walled village children. Distance from the urban area not only kept walled village women from advancing in the ways that their urban counterparts did, but also kept them away from the knowledge of the urban women, who assumed their rural counterparts were living in a different world. Women in the New Territories, to use Petersen and Rutherford's (1986) terms, are double-colonized and triple-marginalized as a group: by the British colonial government; by the New Territories patriarchs; and by their urban Hong Kong counterparts.

Referring, in her essay, *Woman and Class* to the role of social class in gendered analysis, Curthoys (1986) laments how the African middle-classes complain about relatively small issues such as their love life and their promotion prospects, whilst their poorer counterparts are threatened with hunger and discrimination. Her observations are relevant not only to Africa. In cosmopolitan Hong Kong, where urban women enjoy career advances and the privileges of the education system, women have completely forgotten their rural sisters who are neglected and still subject to unfair legal treatment, a legacy of the British colonial system (E. Lee, 2003; Stern, 2005). Middle class Hong Kong women, who have enjoyed relative prestige and privileges in all aspects of life, are not interested in institutionalized gender inequality that affects other, minor groups. As E. Lee (2003) points out, many current core activists in Hong Kong hail from the middle classes. These activists are unlikely to bring about drastic improvements to gender equality in Hong Kong because they do not easily empathize with marginalized women –such as recent Chinese immigrants, sex workers, lesbians and women who are subject to domestic violence. This is especially true when we look at the issue of land inheritance in the New Territories. This problem has been present since the British took control and issued the New Territories ordinance in the 1900s. It was not an issue that impinged on the consciousness of feminist groups until the 1980s – by which time this law had been in force for almost a hundred years, instituted since the establishment of colonial rule over the New Territories. It was clearly not a matter of concern to the urban people in general, until the indigenous women, took their grievances to the press and referred the case to the activists. It was only then that the activists began to recognize the seriousness of the issue. Women in the New Territories were not only subject to the scorn and contempt of the Chinese patriarchs, who became angry with them for bringing up this issue, but were also subject to the

indifference of the administration and worse, the apathy of their urban counterparts. In the walled villages, where a few women make their concerns public, questions are raised regarding the extent to which walled village and men or outsiders who live within the walled villages or in the urban area are influencing the current gender dynamics leads to the issue of structure and agency in the study of the gender relations in the walled villages.

### ***The Present and the Future - Structure and Agency***

One further important theme that is raised in this thesis in discussing my findings in the two villages and which is closely related to the bigger historical context of Hong Kong, and the intersectional complexity in the walled villages when looking at gender is that of structure and agency, most notably questions about individual and collective agency and choices in relations to structure. This thesis explores the extent to which structure, (which refers here to the socio-political and economic structure of the walled villages) and agency and choices (which refer here to both the male and female villagers and situations that are conducive to changes) are interrelated. It also examines the question of agency and choice. To borrow Evans' and Strauss' (2011: 4) definition of individual agency and choice, it refers to the capacity of "individuals to make decisions concerning all main aspects of their lives in ways that are neither completely constrained nor completely without reference to social, economic and family circumstances". The definition by Evans and Strauss reflects what Bourdieu's idea of choices in which he argues that people's choices are never a rootless, unattached pure subject. It is more a reference, a calculation to the practical circumstances, the social system. In this thesis, I argue that individual and collective agency and choice may either have an impact in terms of the reinforcement of

existing socio-economic and political structure; or that it imposes effects upon, or changes to, the existing social, economic and political structure. Agents in this thesis include those who induce changes because of commuting between the villages, or even leaving and coming back to the villages, and those who remain in the villages and not challenging the existing practices. The choices of individuals to remain in, or advertently or inadvertently change the practice in the villages can also be called agents.

Here, Bourdieu's (1977) concepts of habitus and doxa and his discussion of choices provide illuminating insights for my analysis of structure and agency in the two walled villages. I deploy his concepts of habitus and doxa to analyse the complex and often contradictory situation that pertains in the two walled villages. For Bourdieu (1977: 82), habitus, "the product of history, produces individual and collective practices, and hence history, in accordance with the schemes engendered by history. The systems of dispositions – a past which survives in the present and tends to perpetuate itself in the future...", In relation to this, the doxa creates a world that is accepted so naturally and without question; a world that "goes without saying because it comes without saying" (Ibid.: 167). Bourdieu's (1977) work helps to explain why the inheritance movement cannot go further in altering much of the gender dynamics because of the default take-it-for-granted response. The women are unaware of, or at best accept without question, that this is the world they live in and thus do not bother to challenge the existing structure.

The notions of habitus and doxa further help to elucidate the context of the inheritance movement and the out-migration of the women. Habitus shows how an individual can creatively work around the environment by inducing changes yet is

not so deviant from the existing structure. In the context of the inheritance movement, the village women fighters stick to their claim of ‘affection’ and justify this by adhering to the tradition of family closeness in order to play around with unconventional demands “through the manipulation of tradition” (E. Chan, 1997: 174). Habitus also explains why some of the walled village women will move away from their traditional practice and pursue something else. On the other hand, doxa postulates that individuals exercise agency, but only within existing social conventions. His concept of habitus, as Burawoy (2008: 4) puts it, “accounts for the practical sense, learned capacity to innovate, to play the game, to have a feel for the game – a creativity defined by accumulated disposition, internalized from previous social structure, at the same time a creativity channelled by the actually existing social structure”<sup>7</sup>. The structure in the walled villages, in the context of Hong Kong, becomes fluid, blurred and confusing with the closing gap between the urban/rural divide. The villagers are now situated in both rural and the urban structures, with multiple identities, and can shift and choose to which core structure they belong. In this sense, walled villagers’ choices, or being rational choice actor, which could be defined in Bourdieu’s (1990) term, as “mentally unburdened by the limit of her practice” (Gorski, 2013: 92) could inadvertently induce changes to the villages. Those women who complain about their plight in 1992 and those who move away or take more active roles in careers in the cities or overseas are suggesting that women themselves could develop agency and change their own destiny, and therefore the environment itself, albeit perhaps unintentionally. Those women who choose not to challenge the practices and structures to which they are accustomed, are also acting as agents to maintain the status quo and perpetuate the practices in the villages. The

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<sup>7</sup> Burawoy, M (2008) *II: Durable Domination Gramsci meets Bourdieu*. Available at: <http://burawoy.berkeley.edu/Bourdieu/Lecture%202.pdf> (Accessed 13 March 2011)

structure and agency within the villages is, therefore, interconnected and they mutually affect each other in the course of changing gender dynamics. According to Bourdieu, the decision of their choice, whether to perpetuate the status quo and to change the gender dynamics advertently or inadvertently, is a product of an individual's history, experience and practices based on social class and norms, modified or reinforced through practices and experiences, history therefore, also plays a part in an individual's choice.

### ***Outline of the thesis***

Following on from this introductory Chapter 1, Chapter 2 of the thesis provides an exposition of my ethnographic journey in the two walled villages of Shan Ha and Wang Toi Shan. Through the account of my primary research in the villages, which lies in a territory uncharted by me before, and through my insights into how walled villagers in general have been perceived by urbanites such as me in Hong Kong, I acknowledge my contradictory and multi-faceted positionality as a researcher and a native of Hong Kong and how this plural positionality impacts upon my research. Chapter 2 goes on to provide an outline description of the two villages, their histories and their current situation. Some basic information, such as the mobility of the people and the business they engage in, will be included in preparation for my discussion of ongoing transformation in the New Territories, especially the meaning of land and how these transformations have led to the 1992-1994 inheritance movement. The chapter then gives details of my ethnographic encounter; about my everyday encounters and activities in the two villages, how I got to know people, the range of people with whom I spent my time, and fuller descriptions of everyday life, encounters and activities in the villages, between men

and women of different ages, between those who continued to live in the villages and those who returned as visitors, the 'outsiders' who moved in, as well as the rural and political authorities. The chapter further lays the ground for the ensuing discussion of the changing gender dynamics in the walled villages.

Chapter 3 explores the question of land, both in legal terms and in terms of changing meaning and values of land in local communities, particularly for women. Land is an important concern in Hong Kong and is of particular significance for the indigenous inhabitants, who, under the auspices of the colonial government and now the basic law, are allowed to preserve their traditions and in particular their lands. The chapter further chronicles the changing idea of kinship and land in the walled villages to suggest how perceptions of traditions and customs have evolved. While examining the shifting meaning of land, customs and traditions, it is also important to look into the concept of indigeneity in the contemporary walled village context. The discussion is pertinent to the entire thesis as the special privilege granted to the indigenous inhabitants is closely related to the definition of indigeneity. Most importantly, the inheritance movement is sparked off by conflict in the inheritance of land and properties amongst kins, in particular relating to how one defines the meaning of indigenesness, traditions and customs. The chapter goes on to pave the way for discussions raised in subsequent chapters on the interests of urbanites and rural communities in the walled villages and of gender dynamics since the legitimization in 1994. This chapter incorporates an account of the events leading to the inheritance movement.

Chapter 4 then analyses the nature of the 1994 movement and the political involvement of external interests, especially of urbanites, in order to engage in a

critical gendered analysis of the motives and interests promoting the 1994 reform and the subsequent lack of interest in following it up. The chapter provides outline descriptions of some of the activists and their present situation. Their stories illustrate not just the unequal treatment that has long existed in the history of the walled villages, but also the extent to which the law corresponds to them. Further discussion of the legal and social implications of overturning the century-old law illustrates the gap that exists between the new law and existing government policy. Taking up the theoretical framework laid out in the first chapter on intersectionality and post-colonialism, I discuss gender as necessarily related to other categories, with gender dynamics in the walled villages being a dynamic and ongoing process that is closely linked with the changing socio-political environment. In the case of the New Territories' indigenous inhabitants, this refers to the intriguing relationship that pertains between land, local communities, the colonial and post-colonial government, and women.

Following the discussion in Chapter 4 of external interests and the involvement of the urbanites in the movement, I go on to explore the rural-urban divide in Chapter 5. This chapter answers the questions about why there is such ignorance and indifference on the part of urbanites towards the plight of indigenous women. The chapter also focuses on how the closing rural-urban divide leads the rural-urban migration of the villagers, especially of women to urban areas; how this hinders the political interests of the rural women to changes, even after the legal triumph of the land issue after 1994; and how women across generations and from different backgrounds are acting as agents changing the gender dynamics in the two walled villages. The chapter further introduces the current situation in the villages, defining how and in what ways some of the changes are occurring, while other



situations remain the same. Where do we draw the line between tradition and modernity, between the rural and the urban? Why do shifts and changes occur? The urban sprawl, the connection with the urban area including increasing education and job opportunities, and commercialization could perhaps explain the transformation within the two villages. To continue the argument put forward in Chapter 3 on the subject of gender relations as a dynamic and ongoing process, I then proceed to examine how villagers perceive gender relations in the walled villages. I look into why villagers may consider some gender dynamics in the villages, though they may seem obsolete, to be acceptable. I do so thorough the use of Bourdieu's (1977) concepts of habitus and doxa. I note that while the outside world is transforming the walled villages practice because of urbanization and urban sprawl, some customs and practices are still nevertheless being practised in the villages, and are accepted by the villagers. The chapter also demonstrates how migrants, either to or from the villages, can act as agents to the walled villages. Using Fong Yuk-mei, the deputy chairman of the Yuen Long women association, who is an urbanite married into Shan Ha village and other villagers and out-migrants and my participation in the Jiao festival, I invoke a discussion on migrants, especially women as migrants, and their role in inducing changes to the villages. I suggest the need to acknowledge that changes are already underway.

Further to the discussions in chapter 5, Chapter 6 explores the ritual and domestic politics of gender in the contemporary walled village context. In this chapter, both male and female villagers' stories from a range of generations in the two villages are used to illustrate changes in all aspects of women's lives. Their stories will be used to provide a comprehensive view of the ways in which the villagers' lives have changed over time. A consideration of the villagers and

urbanites who have worked and lived in the villages reveals the extent to which women's status has improved and how the changing social and cultural environment in the walled villages, in relation to the urban area, has led to differences in terms of gender. I also examine whether opening or closing the village for outside influence is a factor affecting gender dynamics, social cohesion and an important way to preserve tradition.

Furthermore, by comparing lives, rituals and habits in the two villages, I demonstrate variations in the practice of customs and traditions. This chapter also defines the strategies adopted by the village women to work around the constraints imposed by patriarchy in the walled villages, an important aspect of the discussion of gender dynamics in the domestic sphere. In providing an account of the different strategies used by village women to challenge patriarchy, I show that walled village women's strategies are more tightly focused on coping, but that at times they manage to subvert male dominance in the villages. By providing examples of village women who have been able to act as agents of change, I look at the conditions and ways in which women can act as agents of change to traditions and customs in the villages and the extent to which some of the traditions are still firmly intact.

My concluding chapter draws together the important themes raised throughout the thesis and the issues and findings that became clear in the course of this research. As part of this appraisal I return to a discussion of the relevance of the 1994 land inheritance for gender relations in rural Hong Kong and demonstrate the ways in which my thesis fits into the broader fields of research on China, on gender and in ethnography

Finally, regarding romanisation and transcription, sinological research, by and large, follows the canonical pinyin system based on Putonghua. Studies on Hong Kong have mainly been romanised in Cantonese, the main dialect spoken in Hong Kong. Anthropologists tend to romanise the actual dialect spoken in the field. It would look more consistent and organised if I romanised all the terms based on the pinyin system. However, for the purpose of relevance, specificity and authenticity, it is preferable to romanise in the exact dialect of language used or spoken, especially since in Putonghua, Hakka or Cantonese, the same characters present different sounds. I therefore first translate some of the references or phrases commonly used by the informants into English, then followed by romanisation (using the *Jyutping* or the Hong Kong Linguistic Society of Hong Kong Cantonese Romanisation Scheme and then the actual Chinese characters). Only when I use Putonghua pinyin will I put (*p*) at the back of the word. Regarding place names, since Cantonese is still predominant in Hong Kong's geographical references, placenames in Hong Kong remain in Cantonese, whereas place names in China remain in its predominant pinyin version.

## **Chapter 2**

### **Establishing the Research Context in the Walled Villages of Wang Toi Shan in Pat Heung, Yuen Long 八鄉橫台山 and Shan Ha in Ping Shan, Yuen Long 元朗山下村**

#### ***The Selection process for relevant fieldwork sites***

In specific preparation for fieldwork I consulted a number of ethnographic studies on Hong Kong (Baker, 1966, 1968; S. Chan, 2001; Cheung, 2007; Chun, 2000; Faure, 1984, 1986; Johnson, 1975; J. Watson and R. Watson, 2004; R. Watson, 1985) following which I made a conscious choice not to work on villages where others had previously conducted their research. Villages such as Ha Tsuen in Yuen Long (J. Watson and R. Watson, 2004; R. Watson, 1985, 2004), and studies such as those on the Tangs of Kam Tin (Faure, 1984), the Lius of Sheung Shui (Baker, 1968), the Tangs in Fanling (Cheung, 2007), the Pangs of Fanling (S. Chan, 2001), the Lis of Sha Tau Kok (Chun, 2000) and Lam Tsuen, Sha Tin Wai and Sheung Shui (Faure, 1986) and the Mans of Tai Po in Hong Kong and London (J. Watson, 1975) have already attracted sustained academic attention from anthropologists and historians in exploration of their genealogies, lineages and stories. In contrast, I took it as my responsibility to conduct my research into the subject of gendered difference and land rights in the New Territories at sites which are less well known in order to contribute to and perpetuate wider research on the walled villages in Hong Kong.

As part of the process of choosing the villages for my research sites, I first talked to women's associations in the urban area of Hong Kong, some of whom,

after understanding the details of my work, directed me to the women's association in Yuen Long in order to gain a better idea of village women in the New Territories and a more specific sense of their relation to land rights. One of the vice-chairwomen of that association, Fong Yuk-mei, originally from Shan Ha Village, encouraged me to work on her own village.<sup>8</sup> Her encouragement was based on the fact that she was in a position to extend invitations to me to attend Shan Ha festivities, even though I was not permitted to live in the village due to a rule stipulating that no strangers may live in their compound. Madam Fong almost made clear to me the appeal of adopting Shan Ha as one of my research sites based on her descriptions of how she saw gender relations in the walled villages.

The information which Madam Fong provided pointed to the significance of shifting gender relations in the New Territories, the specificity of which would be explored in greater depth with reference to the village of Shan Ha. In the same meeting, Madam To also encouraged me to work on the Tangs of Wang Toi Shan, which had started to give out money to both male and female villagers alike for quite a while, quite an unusual practice in walled villages since most of them do not give money to women. As a result, I also ventured into Wang Toi Shan to talk to their village chief. From him I obtained initial consent, to conduct fieldwork in his village. He agreed to show me the lineage and to help introduce me to other residents in the village. Thereafter, in June 2008, I rented a flat in the Ha San Uk of Wang Toi Shan, and then commuted between there and Shan Ha village for my fieldwork, through the recommendation of the Madam Fong and after my initial visit to the village .

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<sup>8</sup> That was conducted 7 January 2008 at Yuen Long women's association.

*A tale of two villages – Shan Ha village<sup>9</sup> and Wang Toi Shan<sup>10</sup>*

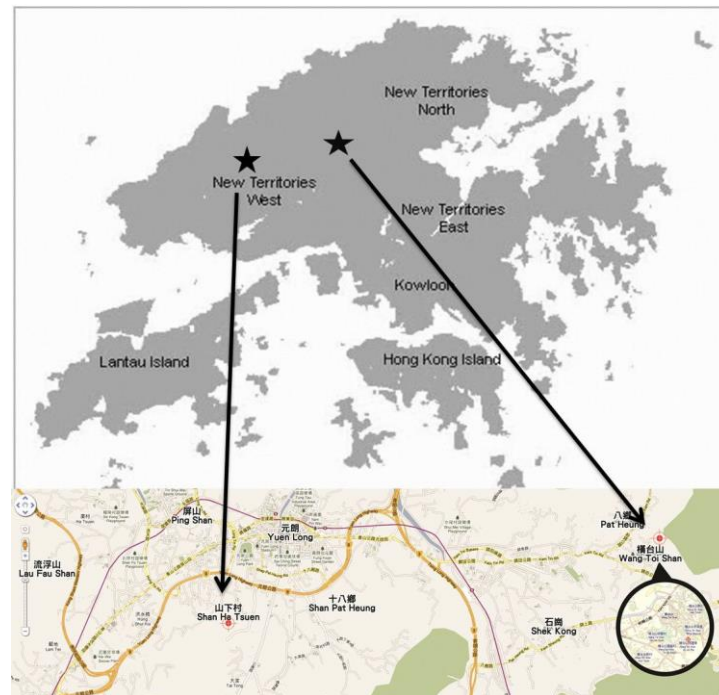


Figure 2.1 Map showing the two villages and the area around them. The red dots indicate the two villages where I conducted my fieldwork<sup>11</sup>.

In order to explore gender relations since the legitimization of women's inheritance, I chose to conduct my 24 months of ethnographic research in two walled villages which have become completely distinct from each other over time. The marked contrast between these two villages is noteworthy. Shan Ha Village in Yuen Long is populated by the Cheungs; and Wang Toi Shan in Pat Heung by the Tang. Both are among the walled villages of the New Territories, but whilst the former is struggling

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<sup>9</sup> The history of Shan Ha Village is copied from the board provided by the Leisure and Cultural Services Department at the Shan Xia ancestral Hall. Also, other information is obtained from Fong Yuk-mei, Cheung Kai-ming, Cheung Kwong-cheung, Cheung Hung-Fun and Cheung Sui-cheung and the lineage record given by Uncle Ming.

<sup>10</sup> The history of Wang Toi Shan is provided by Mr. Chim, Mr. Tang Kwai-yau and Mr. Tang Wo-shun, who kindly allowed me to tape-record the lineage and history of Wang Toi Shan

<sup>11</sup> Adapted from Google map. [Accessed 10 May 2011]. Places with the red dots on the small map and the black stars are the villages I conducted my fieldwork.

to resist the impetus to change, the latter has been exposed to and has adapted to the effects of years of commercialization and urbanization in the rest of Hong Kong. For this reason, they provide clear points of comparison in the development of gender relations in the New Territories.

Like typical walled villages, both Shan Ha village and Wang Toi Shan use the *fong* as a unit for delineating their population. Shan Ha is a relatively small village when compared with Wang Toi Shan. As shown in table 2.1 below, the three *fongs* that live in Shan Ha have altogether 1803 people with 441 households, whereas for the Tangs of Wang Toi Shan, the three *fongs* have altogether 3400 villagers with 680 households. Wang Toi Shan is therefore twice as populated as Shan Ha village.

		Shan Ha Village			Wang Toi Shan		
Items							
No. of <i>Fongs</i> <sup>12</sup>		3 <sup>13</sup>			3 <sup>14</sup>		
Estimated	No. of	1 <sup>st</sup> <i>fong</i>	–	900/220	1 <sup>st</sup> <i>fong</i>	–	1700/340
People/household in each <i>fong</i> .		household			household		
		2 <sup>nd</sup> <i>fong</i>	–	900/220	2 <sup>nd</sup> <i>fong</i>	–	900/180
		household			household		
		3 <sup>rd</sup> <i>fong</i>	– 3 (1 household)		3 <sup>rd</sup> <i>fong</i>	–	800/160
					household		

Table 2.1 Basic data on the amount of properties controlled by male and female villagers, in the two villages. (Compiled from interviews with the village chiefs and their record)

### *Shan Ha Village*

Shan Ha lies only a fifteen-minute minibus ride from the major town centre of Yuen Long, and is situated at the West of the New Territories. One striking feature of the journey to Shan Ha village is the abrupt change from the city to the remote village that occurs within the space of only a short 15-minute minibus ride, leading me to

<sup>12</sup> *Fong* or *föhng* “literally means ‘bedroom of the married sons’. *Fong* represents a conjugal unit with married sons, excluding daughters” (E. Chan, 1997). In the case of the walled villages in Hong Kong, usually the counting started from the sons of the original ancestor that they could trace, and descendants from those sons will belong to the respective *fong*.

<sup>13</sup> The Cheungs in Shan Ha Village originally had four *fongs*. The fourth *fong* has remained in Lam Hau village which is next to Shan Ha village. During the Qing period, at the time when there were lots of pirates, the entire Cheung lineage retreated 50 li from the coastline to avoid pirates’ attacks. When the pirates were no longer attacking their area, the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> *fongs* returned to Shan Ha, whereas the 4<sup>th</sup> remained in Lam Hau village. The third *fong* has only one household remaining in Shan Ha village, while the rest of the *fong* has moved to Zhongshan in China.

<sup>14</sup> Wang Toi Shan is a multi-lineage village. Here I am only focusing on the Tangs, which have only 3 *fongs*.



question how the inhabitants of Shan Ha could manage to keep their village so untainted by the hustle and bustle of the city.

Shan Ha is still a single-lineage village and as a result of the exclusive policy of the Cheungs, houses in the village compound are not allowed to be put up for sale nor for rent. Unlike some other villages, which have sold their land to major property developers in Hong Kong or to the Hong Kong government at good prices, villagers in Shan Ha village are not allowed to sell their land; nor are outsiders permitted to rent accommodation or live within the village. This policy has succeeded in keeping the village intact and largely unchanged over the years. Almost half of the villagers have, however, moved overseas (to the Netherlands, Germany, and the United Kingdom) while others have moved away for work or have married and moved to areas closer to their work. As a result many of the houses are left empty, leaving only the elders and some children in the village. (See Appendix 1 for full empirical details). Emigrants from Shan Ha Village do however often return to the village during important festivals like the Ching Ming and Chung Yeung festivals and the village still upholds traditional customs and rituals (See also Appendix 1 for further empirical details.)

The founding ancestor of the villagers of Shan Ha is Cheung Chik-san (張直臣). During the Wanli (*p*) reign (1573-1620) of the Ming Dynasty, Cheung Chik-san was elevated to the status of an ‘eighth-ranked official with cap and sash’ -八品冠帶. For the sake of his salt business, he moved from Huang Cun (*p*) in Dongguan 東莞簕村 to the fertile land of Wang Zhou, Xin’an (*p*) (新安橫洲) where he lived near the Lam family and the Lee family. Later descendants gradually increased in number and formed a clan. Some of the clansmen moved to the location of the present Shan

Ha Village during the Shunzhi (*p*) reign (1644-1661) of the Qing (*p*) Dynasty. In the first year of the Kangxi (*p*) reign (1662), the Qing court strictly enforced an evacuation order that people living along the coast must move inland by 50 *li*. The Cheung clansmen were therefore forced to leave the village. Although the evacuation order was eventually rescinded in the eighth year of the Kangxi reign (1669), not all of the clansmen returned to the village. As a result, members of the Cheung clan ended up separated and settled in different places. At present, Shan Ha Village is still a single-surnamed village of the Cheungs.

The village is known for having a pro-communist stance. and because of this the village was ignored by the Hong Kong government at times of major celebrations and was viewed as a smaller, lesser known walled village when compared with the Tangs in Ping Shan and Long Ping, and the five great clans referred to in the introductory chapter of this thesis. As a result, this has pushed its inhabitants to migrate to other parts of the world, particularly to Europe, as noted above. Shan Ha's pro-communist past is not however, influential enough for women to have been encouraged to take up education in the village schools in the past. Traditional and patriarchal values are still strong when it comes to gender dynamics from the 60s up until the 90s, at which time the younger generation of village boys and girls, then began to attend school in the urban area.

Ever since they settled in the village, the villagers of Shan Ha were farmers who grew mainly sugar cane and rice. The sugar cane harvested in autumn and winter was taken to the sugar-refining workshops in the village for making sugar. All processes for making sugar were carried out by the Cheungs. The sugar refining remained in operation until the early 1950s when large quantities of sugar were

imported from elsewhere into Hong Kong. Apart from being consumed by the villages, the sugar made at the time was transported to Yuen Long to be sold or exchanged for other daily necessities. Sugar refining workshops are not commonly seen in Hong Kong. The remains of the one in Shan Ha village bears witness to the history of the sugar-refining industry there. Rice was also an important crop for the village. Each year there were two harvests of rice, mostly consumed by the growers themselves. Every household had a grain grinder for grinding rice. Today, while some farming activities still take place in parts of Shan Ha village and people grow vegetables for sale in the city, most of the land is either for building their houses or mainly rented out as warehouses.

In the 1960s, like many Hong Kong people, a number of the Shan Ha villagers engaged in different forms of business. Some of them did odd jobs, others worked in construction or as truck drivers. Life was very tough during that period and, as was the case in other walled villages, a significant number of men moved to different parts of Europe. Many of them opened Chinese restaurants and takeaway shops. Eventually, as a result of their hard work, many managed to save money and become relatively well off. Most of the second generation of overseas Chinese from Shan Ha village are well educated, whilst a good number of them have professional occupations.

Members of the Cheung Clan attached great importance to the education of their children in the village. They once invited famous Confucian scholars to teach the village boys and girls (if parents allowed) of the clan in the Cheung Ancestral Hall and the family ancestral hall. The name given to the ancestral halls also demonstrates how strong an emphasis the ancestors put on the education of their

descendants. In the past 20 years, both boys and girls were allowed to receive education. As society changed, so the old traditions and customs transformed: the old private schools were transformed into a single village school, the Wah Tung School, housed in the Cheung Ancestral Hall and providing education to the village children. In 1958, the school was relocated to a new school building outside the village.

Today, Shan Ha is a quiet and peaceful village in which old-style architecture is untidily intertwined with new. Unlike other walled villages, Shan Ha Village is not actually enclosed by walls and the village is not even protected as the name ‘walled village’ (*wai4cyun1* 圍村) might suggest. There is no gate or doorway through which to enter the village. The village houses are arranged in the shape of a square, providing protection for its villagers and the layout of the village is defined by rows of adjoining grey brick houses and lanes arranged in an orderly form. The original village entrance was directly opposite the shrine, but was later relocated to its present position owing to reasons of *fengshui*. The space in front of the village used to be a *fengshui* pond, now filled in and changed into a resting area.



Figure 2.2 Shan Ha Village's traditional grey-brick house

Next to the line of traditional grey-brick houses, the type of house that the villagers take pride in because they give warmth in winter and coolness in summer, stand a few modern three-storey village houses built with tiles and concrete. The ancestral hall, which stands in the centre of the open space, is a well-known listed monument, protected by the Hong Kong government. It is used as a centre for communal gatherings and a place for ancestor worship.



Figure 2.3 Shan Ha Village's ancestral hall

Some of the traditional ways of living remain apparent in Shan Ha. Inside their old grey brick houses, families still cook their food by burning firewood. For this reason, one can see multiple piles of firewood along the small alleyways of the villages. The

elderly ladies in the community often gather in one of their friends' houses to play Chinese bridge and some relax by playing mahjong in another building, next to the ancestral hall. Despite the unanimous efforts of the villagers to keep the village undisturbed by outsiders through renting or selling their flats, changes are, however, evident in day-to-day life. Just as the ancestral hall is no longer the place for communal education and the village children now study in a formal school established by the village, located outside the compound, one of the old study halls has been transformed into a grocery store in which the men watch horseracing broadcast on a plasma TV.

The tug-of-war between the old and the new is clearly evident in Shan Ha. In consequence, the village provides an apposite location for the investigation of changing gender relations across generations, and how intersect with class and their relations with their kins

### *Wang Toi Shan*

In contrast with Shan Ha, Wang Toi Shan, in Pat Heung, which is in the middle of the New Territories, is a well-developed, urban-looking village. Situated forty minutes by minibus away from the major town centre of Yuen Long, it is modern and city-like. Compared with Shan Ha it has a substantial residential population, partly because many outsiders have moved there: monthly rent in Wang Toi Shan is approximately HKD 3000 – 7000 cheaper than in other areas of Hong Kong and since the West Rail connects the New Territories with the Kowloon hub close to the village, a mere ten minutes minibus ride from Wang Toi Shan, its residents comprise numerous urbanites (around 2000). (See Appendix 1 for full empirical details.) The

hamlets of Wang Toi Shan currently comprise a total population of around 10,000 (including both indigenous and non-indigenous inhabitants). In addition, ethnic minorities like South Asians from Pakistan and India and Africans, mainly from Nigeria number around 1000. A number of native walled villagers have, however, moved to the city or overseas (England, Scotland and Ireland) for work, in restaurants and takeaways shops or to start their own businesses, or to study or after marriage. Some return only at weekends, or for family gatherings or for holidays.

As a result of having sold off much of its land, Wang Toi Shan has money for transformation.



Figure 2.4 Modern Houses in Wang Toi Shan

While skyscrapers and shopping malls - typical landmarks of urbanity - are still nowhere in sight, the village does boast a Duracourt basketball court and a playground fully equipped with modern slides and gym equipment. This is in stark

contrast to Shan Ha Village, where the basketball court, right at the front of the village, is a rugged court with two basic, simple basketball hoops standing on a bare, concrete surface which apparently has not been renovated in years. Of course, in Wang Toi Shan there are still some vestiges of village history such as the ancestral hall, which still remains in the village, although it is inconspicuous.

Unlike Shan Ha Village, which is a single lineage village, Wang Toi Shan is a multi-lineage village that consists of six hamlets: Wing Ling Lane (永寧里), San Tsuen (散村), Ha San Uk (下新屋), Ho Lik Pui (河瀝背), Sun Lung Wai (新龍圍) and Chuk Han (竹坑). The founding ancestor of the Tang clan in Wang Toi Shan was Tang Ting-kui (鄧廷桂) who moved to Pat Heung Wang Toi Shan in the 28<sup>th</sup> year of Emperor Kangxi's reign (1689 A.D). His ancestor, Tang Kwan-wui (鄧君會), who had originally resided in Guangdong's Jiaying (*p*) County, moved to Huizhou Guishang (*p*) 惠州歸善 and then, in the 9<sup>th</sup> year of Kangxi's reign (1670 A.D), moved to Xin'an Changfu (*p*) 新安長莆.

Once Tang Ting-kui had settled in Wang Toi Shan, he established his own clans and his three sons became three *fongs* for the villages in Wang Toi Shan. The first *fong* occupied Wing Ning Lane, the second *fong*, San Tsuen, and the third, Ha San Uk. In the early days, the Tang Clan established itself and lived on farming and fishing, though some clan members also did odd jobs. Generally however, Tang people were very poor. But through the selling and renting out of land as go-downs, or warehouses, they quickly established Wang Toi Shan as one of the richest Tang villages in the New Territories.



Like Shan Ha village, Wang Toi Shan is a pro-communist village whose villagers wore Maoist uniforms and carried 'Quotations from Chairman Mao' wherever they went. Relations between the colonial government and the Tangs in Wang Toi Shan were turbulent due to the villagers often resisting government officials. The village was therefore labelled by the government as a 'politically sensitive area'. One instance of how resistant they were to the colonial regime was that the village was actively involved in the 1967 riots against the British government.

The Tang Clan in Wing Ling Lane, San Tsuen and Ha San Uk formed the focus of my research due to them being well known for having sold their land and distributed the money equally amongst the male and female villagers since the 1980s. Apart from the equal distribution of wealth among both male and the female villagers, however, gender dynamics in Wang Toi Shan have remained relatively unchanged since before 1994. Only a few girls received tertiary education before 1994 and men still dominate village affairs. Women in the village are still expected to deliver boys or they would bring shame to their families.

Despite this, however, Wang Toi Shan is also one of the villages that has actively carried out the inheritance policy that gives equal rights to both male and female villagers. The profits from the sale of the land are divided equally among male and female members of the village. There are other walled villages that have done the same, among them, the Pangs of Fanling (S. Chan, 2001). Most of the villages, by contrast, still adhere to giving out money to male descendants only. In Shan Ha village, since villagers are not allowed to sell their land, profits from the renting of their land outside the residential area of their village go to each household,

instead of individual members. This particular feature of Wang Toi Shan therefore raises the question of whether women are better treated in this village than those in other villagers.

Wang Toi Shan has actively embraced the impact of urbanization and modernization. Instead of steadfastly fending off changes and any threats of changes, the village had undergone a face-lift to imitate, if not emulate, the residential housing ambience of the city of Hong Kong. Perhaps it was inevitable, perhaps deliberate. The question is whether this urban surface belies the conservative tenets in the village or whether the traditional values of living in the village have also undergone a drastic transformation. Villagers now rarely engage in agricultural activity. The younger generation works in the urban area and can be found in a variety of white-collared, as well as blue-collared, occupations. Like their urban counterparts, they receive the same education, go to local universities and a number of them study or work overseas. Wing Ling Lane is no longer a fishing village, rather there are more grocery stores owned by the villagers. In Wang Toi Shan, some have even set up property companies or work as property agents to rent or sell properties in their village or the nearby areas. What they do and where they work is therefore the same as the urbanites in the city area.

My reasons, then, for selecting the two contrasting villages of Shan Ha and Wang Toi Shan in terms of their policy to outsiders is to see how gendered power relations operate in two different locations. One has followed the changes in society at large through time; while the other is trying their best to keep the ‘purity’ and cohesion of the village by making it unavailable to rent or sell. In this thesis I examine whether closing off the village can really preserve the tradition and

cohesion of the village and defy influences from outside forces better than a village that is open to outsiders. I identify the differences and similarities in the relationships that pertain between men and women in the two places. And I ascertain what factors have contributed to the changes that have taken place.

### ***Personal engagement with the ethnographic field***

Prior to my 24-month research period commuting between Wang Toi Shan and Shan Ha. I had only ever been to a walled village once in my life, to attend a baby full moon celebration.<sup>15</sup> Other than that, I knew nothing about walled villages and had never been conscious of the New Territories area, despite having been born and raised in the territory. Throughout my life, I had been confined only to the urban part of the territory and as a Hong Kong urbanite, I took great pride in living on the ‘island side’, which is considered to be the most affluent and prestigious area of Hong Kong. I had always been “well insulated” by the island buffer and knew nothing about the walled villages other than information garnered from mass media and hearsay.

Unlike some of the “native” anthropologists with close connections to their indigenous homeland – such as Cheung (2007), whose mother is a native of Da Shu village, or Abu-Lughod (1988), whose father is an Arab - I myself had never had a walled villager as a friend, at least not that I was aware of.

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<sup>15</sup> Full moon celebration (*mun jyut*) is a celebration of a baby who has lived for a month since s/he was born.

Though very excited about the prospects of collecting fieldwork data, I was warned by some of my friends who, after learning of my intention to conduct fieldwork in the walled village, were reticent about my chances of success. My two brothers also expressed concern that village people were very different from ‘us’. Their anxieties were compounded by the response from the brother-in-law of my niece, who simply asked me, “Why do you want to work in Wang Toi Shan? It’s a very scary place. You know, people there are very fierce” I was reminded of his warning once I reached Wang Toi Shan and heard the barking of reined-in mad dogs, threatening to break their chains should I get too near; or at the point of my spine-chilling encounter with a snake that was scared off by my scream while others looked on, greatly entertained. These experiences reminded me time and again of the difference between the city and the village – the people within the walls and those who are *outside*. Other friends who had grown up with me also stated, jokingly, that “it would be more dangerous than the time you were a reporter following the fugitives in Cambodia under Hun Sen.” It came as a shock to me to hear all these admonitions and before moving to live there, I already began to wonder whether I had made the right choice in going to the village, living there and conducting fieldwork. Of course, I now understand the horrifying pictures painted by my relatives and friends were mainly due to the long held stereotypes by the urbanites on the walled villagers, as well as the keen divisions between the villagers and the urbanites. Even though the prospect is was rather daunting, I still made up my mind to move in for my fieldwork.

Over the months that I was living and commuting between the two villages, I observed and analysed the transformations that were taking place at each site and

community. As a result I learned about both urbanites and rural dwellers and developed an understanding of the extent to which the line that delineates urban/rural has been blurred. I came to consider why distinct differences still pertain and what precisely the nature of those differences is.

### ***An awkward beginning, feet first into Wang Toi Shan***

June 1<sup>st</sup>, 2008, marked the ceremonial beginning of my research in the walled village of Wang Toi Shan and it was a great privilege to be have been invited to attend one of the meetings there. For one thing, outsiders were barred from those meetings due to much of the discussions involving village interests and potentially embarrassing details of the village and individual houses (*fong4* 房)<sup>16</sup>. For another, I am a woman and as such not encouraged to attend high-level village council meetings. This position is confirmed by Anita Tang, a married-in villager who reminisces that when she once attended a meeting she was advised to leave: “One of the men came and asked me, ‘Why are you here? It’s not too good for you to be here’”, she reported. I was therefore surprised when I asked Tang Kwai-yau, the District Councillor, about the possibility of going to those meetings and was granted permission to attend as an observer. Further to my surprise, Tang Ji-yin, the village elder responsible for the decision, told me that I could be there and could also take some photos during the meeting. I could not believe my luck since it is unheard of for a woman to attend such village council meetings, let alone a woman who is also an outsider. In the event of the walled village meeting, I had a sense that since my identity as a PhD student intersected with my status of being a woman who is from urban area, and

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<sup>16</sup> Refer to footnote 12.

more importantly my status of being a woman is not a village woman but as a urban woman. Therefore, this gave me an advantage to play around with my multiple identities. It also demonstrates how the intersectionality of class and gender could affect gender power relations in a specific social and cultural context.

Nevertheless, even inside the meeting, I remained unsure if I really should be present, or whether I had come at an inopportune moment. Sitting on the sofa with my notebook on my lap and my camera hanging round my neck, I felt anxious and restless about my ability to read the situation, as an “outsider”. In fact, I was fidgeting and felt extremely vulnerable, encountering as I was, a site that was - or at least had every appearance of being - so homogeneously male. I was unaccustomed to the apparently antagonistic shouting and pointing of fingers during a meeting. Despite being able to understand most of the discussion since it was conducted in Cantonese, the unfamiliar dialect and mannerisms of the participants made me question the degree of my comprehension and at certain points, I felt isolated, intimidated, awkward and a little lonely. My responses were born of the fact that I was a lone woman in a male environment, and, moreover was a woman from the urban area, virtually ignorant of their customs and the proper code of behaviour as a female from “outside”, and working as an “alien” researcher. I therefore questioned not simply how I was seeing them but through what cultural lenses and life experiences they would in turn see me and how this would fuel their expectations and demands of me. Would they refuse to engage with me? Would they lie to me? Or would my encounter with them, over a sustained period of time, disclose nuances and ambivalences that would produce valuable revelations about the nature of gendered relations in my research context? What was going to happen to me as I worked in these villages and what would this reveal? My identity as a Hong Kong

Chinese had only given me an advantage so far as to be allowed to sit there in peace for 20 minutes. In this initial meeting my instinct told me that something was about to happen. And it did.

“Our village is having a meeting. Strangers are not allowed to be here. Please leave”, one of the villagers, Shun-fai Goh (Brother Shun-fai)<sup>17</sup> told me. When I tried to explain to them that I was invited by the district councillor Tang Kwai-yau to sit in on the meeting, they refused to listen and then said, “NO! NO! NO! NO! You cannot be here. So please go!!”

This incident was sparked by me trying to take a picture of them, as Tang Kwai-yau had urged me to do, for the record. But while Tang Kwai-yau was talking to others about funding that a few of the participants, including Shun-fai Goh, told me to leave. I tried to explain, but they refused to listen. They spoke so loudly that it sounded like they were reprimanding me. Unable to redeem the situation, I left the meeting and went downstairs to talk to the elderly ladies who were wrapping rice dumplings. After a few minutes, however, Shun-fai Goh and a few others came down, bowed and apologized for being so rude. They kept informing me that they had no idea that Uncle Kwai-yau had invited me to be there, and looked so apologetic that I felt extremely uncomfortable because they were so polite that I almost felt embarrassed. This is also rather confusing as generally I perceive village men to be often stubborn and chauvinistic. The contrasting behaviour struck me so much that at times I did not know how to respond. They then invited me to go

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<sup>17</sup> Brother Shun Fai is a pseudonym for the villager. As mentioned in the introduction, I have tried to protect the anonymity of those who did not grant me their consent to reveal their names. For those who have agreed on using their names, I have kept their real name intact.

upstairs again while repeatedly telling me how guilty they felt for having driven me downstairs. I then sat through the whole meeting that ensued with full hospitality expressed through constantly being asked if I wanted fruit and tea and having my plate and cup repeatedly filled.

I was set, therefore, to explore the gender dynamics within Wang Toi Shan, and nearby Shan Ha Village. I was looking forward to understanding how gender dynamics change through time by looking across generations; how different generations of women were relating to each other; how men and women related across generations; and by looking at women who live in the village and have moved to other places. I was hoping to understand how gender dynamics have changed since the inheritance movement and whether the change, if any, is due to the change in the inheritance law.

### ***An Alien at home: conflicting positionalities among researchers***

Among the problems that “native” researchers face is their conflicting roles as both researchers and insiders, and the power relations that pertain between the researchers and the informants (Abu-Lughod, 1988; Altorki, 1988; Narayan, 1997; Zavella, 1997). Like other ethnographers who conduct their research in their home country, or at least, have strong connections with the area they are working on, I soon found myself caught in this conflicting positionality of being a native ethnographer researching her hometown, albeit with the awareness of the rural urban divides which pertain in this context (and which forms the analytical focus of chapter 5 of this thesis).



Ethnographers have challenged the dichotomous notion of the insider vs. outsider and subject vs. object, having pointed out that there are often nuances in relations between the subject and the object that prevent it from being as clear-cut and as dichotomous as one might think (Narayan, 1997; Zavella, 1997). As Narayan (1997: 30) succinctly points out,

Can a person from an impoverished American minority background who, despite all prejudices, manages to get an education and study her own community be equated with a member of a Third World elite group who, backed by excellent schooling and parental funds, studies anthropology abroad yet returns home for fieldwork among the less privileged?

And what about non-‘native’ anthropologists who have dedicated themselves to long-term fieldwork, returning year after year to sustain ties to a particular community? Should we not grant them some recognition for the different texture this brings to their work?

The ethnographer, as I argue, often oscillates between the role of an outsider and an insider, be they part of the research community or a foreign ethnographer who has lived long enough in the research community. They are, very often, both insider/outsider and subject/object. Feuchtwang (1999) also points out the difficulties that native anthropologists experience in negotiating their identities as simultaneously ‘native’ and ‘anthropologist’. Moreover, the claim of the native anthropologist of knowing her/his own culture can run counter to outsider anthropologists who study the same subject. What is at stake here in the quest for ‘real’ authenticity?

Nothing is more revealing about this contradiction than my experience as an ethnographer in the walled villages. As a Hong Kong native who was born and

raised in Hong Kong, but had never been to the walled village before, I knew that part of me could ‘perform the magic trick’ of blending in neatly with the villagers. However, there still lay the possible danger of being unwelcome or even ostracized during my fieldwork, as a result of my gender, my urban origins or my position as a researcher. In terms of linguistic difference, I speak neither Hakka nor Weitou and also might easily cause offense since I know very little about the villagers’ customs. In fact, anthropologists who have conducted fieldwork in their own countries have stressed that a researcher’s age, gender and marital status have all contributed to the degree or mode of acceptance in their own community (Abu-Lhughod, 1988). In my own case, I have the advantage of shared nationality (from Hong Kong) and a partially shared cultural background with the villagers as a ‘fellow Chinese’: as a result of my facial features I therefore had a comparatively free rein in the village, and even better, could garner willing support and help from villagers. This is illustrated by the comment that a district councillor once made to me: “Of course I will help you. You are Chinese, not *gweilo* (foreigner)”. In addition, being a well-educated urban Hong Kong woman gave me the capacity to negotiate and discuss issues with others across the gender divide: men were more willing to see me on a par with them. They also respected me as a result of the fact that I am also employed at a university in Hong Kong as well as being a London-based researcher. They therefore thought of me as someone who is ‘civilized’ or ‘well educated’, (*jau3man4faa3* 有文化). Villagers generally respect the well-educated, so I had a good start when I moved into Wang Toi Shan and engaged with the local community there. Furthermore, I was acquainted with the most respected and important person in the village, Tang Kwai-yau, who had introduced me to the village chiefs and was extremely generous in allowing me to take part in all aspects of his business and in village affairs. This involvement included that of negotiations over the Hong Kong-

Shenzhen-Railway dispute (which involved the entire Wang Toi Shan area), and which served to facilitate my understanding of practice and culture within the village.

As for Shan Ha Village, on the other hand, it was by sheer luck that I was eventually able to mix with the villagers. I spent an hour or in the village and talking to the villagers, for three to four consecutive days at the beginning to familiarise them with my presence. As in Wang Toi Shan, the villagers of Shan Ha have a demonstrably high level of respect for the well-educated and therefore, my twofold identity as a PhD student and as a lecturer at a local university became an added advantage in encouraging their engagement with my research agenda. Besides, my being a woman seemed to somewhat catch them off guard since, as they considered me to be just ‘a girl’ (*aa3mui1* 阿妹), and therefore apparently ‘harmless’ (*mou4saat3soeng1lik6* 無殺傷力) Some of them looked at me suspiciously at first, whilst others merely assumed that I was one of the descendants of the village people who had come back from overseas. Gradually, they all came to know who I was and became familiar with my face. This led to my being invited to travel with them to China for Tomb-sweeping and other events, and even to be included in some rituals that do not normally allow the participation of women. Being an ‘outsider’ and an educated person (rather than simply a woman) in this village gave me license to attend all their activities and meetings. It was noteworthy, therefore, that my gendered identity became less salient, or even invisible to the villagers when I was working as an ethnographer in this village, so much so that they even forgot the fact that I am a woman and allowed me to do the unthinkable in gendered terms and to climb up to the graveyard and stand on top of the graves to take pictures. Not only

was this tolerated, but I was invited to do so at the suggestion of the old men in the village<sup>18</sup>.

Further to this, however, my background was received in varying ways by the villagers, and this in fact helped me to obtain a more comprehensive perspective of the villagers' lives. In many senses my observations and experience of my position in the villages corresponded to some of the comments made by the villagers. On one hand, as detailed above, I was treated with respect because I worked in a university and was undertaking a PhD degree overseas, as a result of which they respected me as someone who 'has soaked in, or drunk the salt water' (*zam3gwo3waak6jam2gwo3haam4seoi2* 浸過或飲過鹹水)<sup>19</sup>. On the other hand, however, they continued to adhere to the belief that my position as a girl/woman meant that there were certain roles I should fulfil. I was told twice, for example, that it was unbelievable that I did not need to do housework at home. When both of my parents were alive, they took care of all the household chores. When they died, in the first months of my PhD registration, my sister, brother and sister-in-law replaced their role and took care of the housework instead. To some of the villagers, this was totally unthinkable since, as a woman, I should have been doing housework myself even as a well-educated woman. At one point, one male villager, after learning that I never had to do housework, was so shocked that he reprimanded me, "You are a

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<sup>18</sup> Traditionally, women are not allowed to climb over a man. In the case of standing on top of the graveyard, it is considered inauspicious because, according to Chinese custom, a woman should not ride over a man since that would affect his destiny. Likewise, in this case, it is a form of disrespect and a superstitious belief that if a woman climbs over, or rides on a man (or a man's grave), then the man can never thrive; and the clans and the descendants will be affected as well due to a community dependence on patrilineage. There is also the issue of whether a woman is menstruating at the time, which is considered dirty, and to bring bad luck.

<sup>19</sup> A slang term meaning someone who has worked or studied overseas.

teacher. How can you teach students when you don't even do your housework?"; to which I replied, "I don't teach Home Economics. I teach Communication Studies. So, it falls outside my expertise." He shot me a look of terror in response and later his wife explained that he could not begin to imagine a woman who, in her life, has never needed to take care of her housework because that is not what village women are like. Both these men, who strongly disapproved of my lifestyle, were in their late 40s and early 50s.

Older male villagers, strangely, tended to be more sympathetic towards me and simply assume that I was not able to cook. (This is not true. I actually cook all the time.) That is why they would sometimes give me food; and when making the traditional Hakka casserole, they even gave me a few big bowls and helped me carry them home. One old man said, "*Ah mui* (young girl *aa3mui1* 阿妹), you use this to make instant noodles. It tastes really good." I told them I do not eat instant noodles because I cook my own food. They were surprised that I could cook and that I cook my own food. "It's so rare that modern girls like you can cook. Well done!" Older women were also amazed by how well I cook. But to some of the middle-aged women who are around my age, they seemed to be less concerned about my cooking skills and had enough knowledge of lifestyles overseas to assume that as a result of having lived abroad, I would have acquired such skills.

One explanation for this anomaly is provided by the comments of Cheung Muk-lum, a Shan Ha native and the highly respected person-in-charge and ex-district councillor candidate who remarked that in the walled villages, the older generation exercise a 'paternalistic' pattern regarding intergenerational relationships. Therefore, those who are way beyond my age regard me as their junior and feel a need to

protect younger people. In contrast, those closer to my age might look at me as a fully-grown woman and demand that my attitude and role should fit their stereotype of what it means to be a younger woman. The former attitude may derive from the perspective of an elder. The latter, however, exhibits a typical form of male chauvinism still undiminished in the walled villages, expressed and perpetuated by men and women alike. My background has provided interesting perspectives in the course of my analysis about perceptions of villagers towards women and their roles; and my other information also facilitates my research during my fieldwork period.

My marital status helped to open up conversation, especially regarding sensitive domestic issues (Altorki, 1988). Being a recent divorcee and able to discuss this openly with the village allowed me to win trust. Divorce is still regarded as a taboo and no one would initiate discussion of this since they believe it to be an intimate and personal topic. My ability to disclose my marital status further revealed substantial levels of conservatism in both men and women of the older generation. In my case, for example, Cheung Muk-lum, asked about my marital status during our lunch in a Chinese restaurant in the city of Yuen Long, and was shocked by my divorcee status: “Your husband left you? Is it because you studied too much?” He was not, I believe, intending to be unkind but was simply concerned that, given my educational background and my ambition, I would have no chance to enter and maintain a happy marriage. To Cheung Muk-lum, who is in his late 50s, a happy marriage represents the peak of contentment and achievement for a woman of his generation. To me, his comment not only revealed how villagers, especially older villagers, perceive women but also sheds light on how the subsequent socio-economic transformation has unsettled the status quo of the villages in terms of gender relations. This observation was compounded by conversations I had with two

residents of Wang Toi Shan - Jenny Tang (pseudonym) and Zita Tang (pseudonym) - both of whom had married into the walled villages. While taking a night time walk over the local football pitch - a usual practice for middle-aged women who wanted some exercise - they informed me of their marital problems when they realized that I was divorced and my husband had left me shortly after I commenced working on my PhD. Older women from Wang Toi Shan, like Tang Yau (pseudonym) and Mary Wong, who became aware of my marital status, also showed some sympathy for my situation and began to tell me the lessons they had learned in their marriage over our trip to China for tombsweeping and paying tribute to their ancestors in their native village in China : about how they were being abused by their in-laws, and how they had to struggle between household chores and paid work. As things gradually unfolded in my research, this episode, like other episodes in the process of my fieldwork, revealed the struggles that villagers faced in bracing for and adjusting themselves to the changes and challenges that are occurring in the villages while trying to preserve some of their more traditional practices.

My participation in village rituals and village affairs suggests that there is perhaps indeed leeway for women to be able to be involved in local village affairs. Yet perhaps this comes only as a result of my own educational background and my position of being a urbanite woman that helps facilitate my research. In this case, it seems to suggest that in reality gender dynamics in the village is more complicated than the homogenous, exclusive impression that it gives. How villagers walk a fine line between tradition and reality, and the ways in which this is exhibited through their daily practices is something I now proceed to explore and to analyse in the chapters which follow.

### ***Fieldwork methodology***

During my 24 months of fieldwork, I lived in Wang Toi Shan and commuted to Shan Ha village for my fieldwork there. Whilst a lot of my data is based on informal interactions and participant observation, I also conducted thorough interviews with 60 villagers, 32 female and 28 male, interviewees that spanned generations, in the two villages. I talked to them about their lives and their stories, recording them on tape or transcription if I was allowed to do so; and if not, I jotted down notes meticulously to ensure that nothing was missed. The conversation also extended to informal interactions when we had social gatherings or even brief encounters in the villages. In addition, I conducted open-ended interviews with a wide range of people including legislators, who were involved in the formulation of the new law that allows equal inheritance of both walled village men and women, women activists who were involved in the movement, rural patriarchs who opposed the claims of the activists, and five of the seven indigenous women (who were willing to participate both in formal taped interviews and in informal interactions).

In order to protect my informants, I have used pseudonyms for some of the villagers who either declined to use their real names or whose stories are too sensitive to make them known. As such, sometimes I paraphrased their words instead of quoting them directly, so as to keep their identities confidential. For others, like the activists, legislators and the villagers in the movement, I retain their names due to them being already well known to the public. All in all, though, I have tried very hard to remain true to the original meanings. For important phrases, I have translated the original Cantonese phrase into English and then provided the original Cantonese phrase either as a footnote or have placed it next to the English translation



so that bilingual readers may work out the meaning for themselves. As a result of having been well-received in the villages, I was able to talk to elders who remember the entire lineage of the villages. I was also able to gain access to lineage records; to land deeds and notes of amounts of money obtained from land sales; and to, a rundown of important events and the minutes of village council meetings. After the completion of my fieldwork in 2010, I returned to the villages for Shan Ha's big celebration of Jiao festival<sup>20</sup> and conducted intermittent fieldwork from 2011 until June, 2012. Between the end of 2011 and early 2012, I also conducted a mini-survey to understand the demographics and mobility patterns of the indigenous inhabitants in the two walled villages (for full details of which see Appendix 1). Finally, I conducted a substantial amount of archival research in order to understand the legislation and law in pre-colonial and colonial Hong Kong, especially with regard to the New Territories. This is important for an understanding of how the history of the New Territories is intertwined with gender inequality in the walled villages - a situation that has eventually led to outcry by the previously voiceless women of the walled villages.

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<sup>20</sup> "Jiao(p) (*taai3ping4cing1ziu3* 太平清醮) means 'offering' and 'sacrifice'. It refers, in the present day, to the large-scale Taoist ceremonies organized by local communities, and by other social groups such as professional guilds and various forms of voluntary religious associations, in order to define themselves on the religious level, and specifically in order to establish or confirm the relationship between the group and its tutelary deity. A Jiao may be performed at intervals of three, five, or more years (depending on local traditions) as either a recurrent rite for renewing life and blessings for the community ("Offering of Thanksgiving and Praying for Peace," xie'en qi'an jiao 謝恩祈安醮), or a rite that responds to immediate problems such as drought or epidemics ("Offering for Averting Calamities, 'rangzai jiao' 攘災醮 Andersen, Paul 'Jiao' In Fabrizio Pregadio, ed., *The Encyclopedia of Taoism* (London: Routledge, 2008), 1, pp. 539-44

As discussed in detail below, my preliminary interviews were initiated as a result of a snowballing technique. My first encounter with the village council members came just at the beginning of my fieldwork. As soon as I moved into my new apartment in the village, I began to look for ways to talk to the villagers. In the village where I lived, I spent sustained periods of time in the only Hong Kong style restaurant of the village. I started having lunch there for three days a week in order to become acquainted with the villagers, and most importantly I tried to greet and smile with everyone I saw in the village in an attempt to encourage them to engage with me. According to my understanding, villagers appreciate polite and courteous women and one of the ways to show them you have been taught by your family properly is to greet whoever you see in the village. My strategy proved to be effective. Soon, a few of the waitresses started talking to me in the Hong Kong style restaurant. The owner began to share with me some of the lives of the village. Once I had been in the Hong Kong style restaurant for a week or two, people began to talk to me and they became very curious as to why I had moved in. Since news spreads very quickly in a village, I was soon being identified as the “PhD student who is working on us”. I started to give out my name cards, an important way to introduce myself and to where I was from. This was usually done when I attended some of their important festivities and proved to be the most effective way to win the trust of the villagers.

As soon as I began to become acquainted with those who worked in the Hong Kong style restaurant, I asked if I could talk to their family members. They were very happy to introduce them to me. So, I met one of their daughters and for the restaurant owner, I got to talk to his wife and met his two young sons, who came by

very often. Gradually I met more villagers through introduction by this growing snowball network and therefore I managed to talk to the young generation, as well as the old generation in the village.

I was also lucky enough to be introduced by my property agent, who held frequent barbecues at her home, to which I was often invited. She would then introduce me to her friends in the village. I discussed with them my project and they would talk to me and assist me to find more people to talk to. It was also a coincidence that one of my students in a local university was living in the same village. So, through him, I came to know his parents and they were also open in talking to me about events that had happened to them in the past and the present and of the lives of villagers then and now. They also invited me to their house and every time when they had relatives coming back from different places, such as from Sweden or England. As a result of such introductions, my fieldwork was facilitated and people were more willing to talk to me about their lives in greater detail. Through all these contacts and by physically residing in the village of Wang Toi Shan, I was invited – or sometimes even showed up uninvited – to participate in key events such as weddings and funerals.

In addition to spending sustained periods of research time in the village's Hong Kong style restaurant and in the house of my property agent friend. I also spent time at least once every two weeks in District Councillor Tang Kwai-yau's office. His secretary, May, was very helpful in introducing me to all those who Uncle Kwai-yau's office. In fact, it was through Uncle Kwai-yau and May that I came to know all the village chiefs, who began to greet me warmly and were always ready to help and to ask what I needed. As a result, I met a significant number of villagers who called

on Uncle Kwai-yau, sometimes to lodge complaints, sometimes simply to make social visits.

It was also through Uncle Kwai-yau and my property agent friend that I met village men who were in their 40s and beyond at which point I let them know that I would like to talk to them to understand more about their lives, and why. They were very happy to give me their telephone numbers, and I would call them up, and ask them when they would be available to talk. Uncle Kwai-yau became, in addition, an important contact point for any important festive events. Apart from the announcements made on the noticeboard outside the village council meeting, I was further often notified by May about events in the village. I was also invited to numerous unofficial lunches that Uncle Kwai-yau had with his powerful friends: village chiefs from other villages, other district councillors and the notables in the Heung Yee Kuk. Through Uncle Kwai-yau's position and connections, I was also invited to some of the landmark events that happened during my fieldwork period, one being the series of meetings held over the controversial Express Rail construction that connects China and Hong Kong. The proposal was that the railway would pass through one of the non-indigenous villages near the village where I lived. The non-indigenous villagers launched a series of protests and eventually they were relocated to another village, which is unusual as only indigenous villages will be relocated by the Hong Kong government should the government has used their land. Through this dispute, I met many senior government officials including, by chance, one who had worked in the New Territories, especially in the Wang Toi Shan area and had known the village since the 1960s. In Wang Toi Shan, I was privileged to have good access because of several key people who helped to introduce me to the villagers, but most importantly, because I lived in the Wang Toi Shan myself and

people grew familiar with my face so that it no longer connoted such a strong sense of that of an 'outsider'.

Unlike in Wang Toi Shan, where I had the convenience of being part of the community, the situation in Shan Ha was completely different and I therefore needed to make an extra effort to become known and to prepare myself for work in the site. For Shan Ha village, as mentioned earlier, I visited a few days to talk to villagers each week. Instead of going directly into my fieldwork questions and launching hour after hour interviews, I instead walked around, with my camera and my notepad. Villagers began to grow curious about my presence in the village. In the beginning, they kept asking me what I was doing there, and I explained my reasons. I told them that I had selected their village for my fieldwork because someone recommended it. Some of them simply nodded while others grew interested and started talking to me further. So, for the first two weeks, I walked along the main alley that led to the households of each village. It happened that every day the old ladies would sit along the two sides of the road and chat away the afternoon. I began by greeting them and they asked me where I was from, at which point I took the opportunity to sit down and begin to tell them about my research interests. I saw that neither of them would ask me to leave so I sat there for a while until they said they had to return to cook. This went on every time whenever I was there. They began to talk about many things, mainly referring to what was happening in the village. Within a few weeks, I grew to know them much better and sometimes I bought some fruit or some cakes to share with them. During the weekends, I also visited Shan Ha because the old ladies told me there were more people there at that time and I was welcome to visit. I then met some of the villagers who had moved to live in the city but who returned to visit their parents during the weekend. This continued for three months, after which time I

had gathered numerous stories and pieces of information about the village of Shan Ha. By luck, I met one of the village chiefs when the villagers pointed him out to me and invited me to talk to him. I quickly grabbed the opportunity, informing him of who I was and of what I was doing in the village. He was very helpful and gave me information about all the festive events and about which other village chiefs I might want to meet. I followed his advice and went to their most important event of the year, the tomb-sweeping in Autumn (秋祭). There, I met many overseas Chinese, who brought their families to the weeklong event to spend time with “their brothers”. I even followed them to China for the two-day tomb-sweeping event, during which I met both the younger and the older generation of overseas Chinese. We exchanged contact details, talked for a long time both during and after the visit to China and every time when they returned to Shan Ha. We also emailed each other and some would call me whenever they visited the village. Once the villagers grew accustomed to my presence, they gradually began to invite me to all their events and weddings as well as funerals. I met more villagers during events and regular visits and even attended their village meetings. Through these events, apart from meeting the usual faces of the older generation and the men and women who were in their mid-thirties, forties and fifties, I also met a group of younger generation villagers who attended these events. They left me their numbers and I called them to talk and every now and then, they would ring me up and ask me to visit them. I also came to know their family members through their introductions, and their family members who have moved out because of marriage or work or study, but who come back at weekends. These acquaintances allowed me to learn what transformations had taken place in the village; to analyse the diversity of villagers’ experience; and to identify the changes in gender dynamics across generations among those who live overseas, those who remain in the village, and those who have moved to the cities.

Urbanization and commercialization have brought dramatic changes to the walled villages, despite Shan Ha villagers' arduous effort in preserving its heritage by not selling or renting village houses in their village. As a result of the exclusive policy for the Cheungs, since houses in the village compound are not allowed to be put up for sale nor for rent, and because many of the villagers have either moved overseas, moved away for work or have married and moved to areas closer to their work, a lot of the houses are left empty, leaving only the elders and some children in the village. Of course, whilst some of the young people still live in the walled villages, many have already moved closer to where they work and where their lives are. As shown in Table 2.1, the three fongs that live in Shan Ha has altogether 1803 people with 441 households, whereas for the Tangs of Wang Toi Shan, the three fongs have altogether 3400 villagers with 680 households.

A similar situation has occurred among Wang Toi Shan natives but not to the village itself, where substantial number of people residing in the village. This is partly because many outsiders have moved into the villages - rent in Wang Toi Shan is rough HKD 3000- HKD7000 cheaper a month in general, than in other areas of Hong Kong. As there is the West Rail that connects the New Territories with the Kowloon hub close to the village, a mere ten minutes minibus ride from Wang Toi Shan, a lot of urbanites ( around 2000) as well as ethnic minorities like South Asians from Pakistan and India; Africans mainly from Nigeria ( around 1000) have moved into the village. A number of walled villagers have, however, moved to the city or overseas for work, study or after marriage. Some only come back on weekends, either for family gatherings or for holidays.

In a mini-survey, conducted in two villages on two evenings with the indigenous inhabitants, I counted the number of, houses both occupied and left empty in both villages by the indigenous inhabitants. I was also able to talk to 85 households. The mini-survey conducted on two visits, once during a holiday and another on a Friday evening, shows that a great number of houses that belong to the indigenous inhabitants are left empty (Table 2.2).

<b>Village</b>	<b>Wang Toi Shan</b>		<b>Shan Ha</b>	
<b>Visits</b>	<b>1<sup>st</sup> visit</b>	<b>2<sup>nd</sup> visit</b>	<b>1<sup>st</sup> visit</b>	<b>2<sup>nd</sup> visit</b>
<b>No. of houses counted in total</b>	137	137	104	104
<b>No. of houses with people Occupied</b>	35	54	24	37
<b>No. of houses with no people Occupied</b>	102	83	80	67

Table 2.2. No. of houses occupied/left empty by the indigenous villagers (the Tangs of Wang Toi Shan and the Cheungs of Shan Ha) in the two villages in two visits

In Shan Ha village, less than half of the interviewed households have all the family members living in the houses. 25 out of the 37 households whom I interviewed have had some family members moving out to the urban areas or overseas. As for Wang Toi Shan, 26 out of 48 households we interviewed have had their family members moving out to the urban areas or overseas. The figures suggest that, at least in every two households, there is one household who has had family members move out to the city or overseas (Table 2.3).



<b>Village</b>	<b>Wang Toi Shan</b>	<b>Shan Ha</b>
<b>No. of household</b>		
<b>Total No. of Household</b>	<b>48</b>	<b>37</b>
<b>Interviewed</b>		
<b>Total No. of Household</b>	<b>22</b>	<b>12</b>
<b>having all family</b>		
<b>members living in the</b>		
<b>same house in the village</b>		
<b>Total No. of household</b>	<b>26</b>	<b>25</b>
<b>having family members</b>		
<b>moved out</b>		

Table 2.3. No. of households having family members moving out to the cities or overseas in the two villages

<b>Village</b>	<b>Wang Toi Shan</b>	<b>Shan Ha</b>
<b>Total no. of people in the interviewed household</b>	325	253
<b>Male/Female composition in the interviewed household (including those who moved out)</b>	180Male/145Female	144 Male/109 Female
<b>Percentage of people moving out to the total no. of people in the interviewed household</b>	18.8%	22.9%
<b>Total No. of Male/Female who moved out</b>	19Male/42Female	23Male/35 Female
<b>Percentage of male/female who moved out to the total no. of population of its own sex</b>	10.5% Male/30% Female	16%Male/32.1% Female

Table 2.4. No. of people who moved out in the interviewed household of the two villages **after 1994**

At a glance, the number of people moving out from the interviewed households does not constitute a significant proportion when compared to those who remain in the village, as shown in Table 2.4, where both villages have less than 20% of people moving out of the village. What is significant, however, is that this already small proportion of people residing in the villages still has around 20% of their

family members living outside of the villages. More significantly, a large number of them are women.

<b>Village</b>	<b>Wang Toi Shan</b>		<b>Shan Ha</b>	
<b>No. of Male/Female Moved out</b>	19Male	42 Female	23Male	32Female
<b>Leaving for Marriage</b>	2 Male	12 Female	2 Male	12 Female
<b>Leaving for work</b>	13 Male	29 Female	17 Male	19 Female
<b>Studying /living overseas</b>	4Male	1 Female	4 Male	4 Female

Table 2.5 No. of Male/Female villagers who moved out and reasons for moving out.

As I mentioned earlier, for the number of male/female's out-migration, both villages show a larger number of female villagers moving out of the village. There is the expected reason - like married outside of the village by the village women as Shan Ha still practice patrilocal residence. Even though Wang Toi Shan is an open village, we still see that around one third of the women in the interviewed households have moved out because of marriage. There is, however, a significant number of women that have moved out of the village because of work. 2/3 of the women that has moved out of Wang Toi Shan, and more than half of the out-migrated female population of Shan Ha had moved due to work. As Table 2.6 shows, the age group leaving for work is predominantly of the younger generation, aged between 21 and 50. The data from the sample is consistent with my later interviews with some of the women who have moved out because, as they told me, their work

and their lives belong somewhere else, and not inside the village. They are not the village women that we imagine of their last generation. To some of them, the village is just a place in which they were born, but does not represent their ‘home’. They call it their parents’ home, or the ‘village’.

<b>Village</b>	<b>Wang Toi</b>		<b>Shan Ha</b>	
	<b>Shan</b>			
<b>Leaving for marriage</b>	<b>2 Male</b>	<b>12Female</b>	<b>2 Male</b>	<b>12 Female</b>
<b>Age:21-30</b>	1	3		5
<b>31-40</b>	1	6	2	5
<b>41-50</b>		1		2
<b>51-60</b>		2		
<b>Leaving for work</b>	13	29	17	19
<b>Age: 21-30</b>	5	10	7	9
<b>31-40</b>	6	10	6	10
<b>41-50</b>	1	9	4	0
<b>51-60</b>	1	0	0	0
<b>Studying/living overseas</b>	4	1	4	4
<b>Age Below20</b>	1	1		1
<b>21-30</b>	3		4	2
<b>31-40</b>				1
<b>41-50</b>				
<b>51-60</b>				

Table 2.6 Age distribution of the out-migration of the two villages.

These days, villagers of the two villages no longer engage themselves in much agricultural activity. The younger generation works in the urban area and can

be found in a variety of white-collared, as well as blue-collared, occupations. Like their urban counterparts, they received the same education, go to local universities and a number of them study or work overseas. Wing Ling Lane is no longer a fishing village, rather there are more grocery stores owned by the villagers. In Wang Toi Shan, some have even set up property companies or work as property agents to rent or sell properties in their village or the nearby areas. What they do and where they work is the same as the urbanites in the city area. We still see some farming activities in parts of Shan Ha village. People grow mainly vegetables for sale in the city. Most of their land is, however, either for building their houses or mainly rented out as warehouses.

### ***Conclusion***

This chapter delineates my ethnographic experience and the ethnographic data of the two villages for my fieldwork. Understanding my positionality as a native researcher is important in conducting an ethical and productive ethnographic study. It also demonstrates the nuances and multiple positions that pertain, even as a “native” researcher when working with informants and participating in the observation of daily activities in the villages during fieldwork. The discussion of my positionality discloses how multiple identities are beneficial to conducting research in a nuanced situation and assists in helping to understand people’s attitudes during fieldwork.

In addition to this, the information provided in this chapter about the basic characteristics and histories of the villages of Shan Ha and Wang Toi Shan provides an outline of the current situation of two contrasting walled villages in Hong Kong. It also demonstrates the transformations which have taken place within these two

villages. Whether a village tries to preserve its own character and system, like Shan Ha, or embraces change and is open to outsiders, like Wang Toi Shan, transformation still occurs. The mobility data suggests that the new generation's movement towards the urban areas and other places differs from that of the last generation. For this previous generation, the village affairs were their core concern and business consisted mostly of agricultural activities, largely within the village or around the village area. The data suggest that studying the generational differences is as important as studying kinship and class together with the rapid urbanization of the villages and the closing distance between the urban and rural area.

The female villagers' out-migration also suggests that village women are no longer confined to the village compound and are instead engaged in agricultural or blue-collared jobs. They are actively working and charting their own paths. What used to be important to the walled village women, working for their husbands and tying themselves to the family, is no longer that important in the modern walled villages. Given that this is the case, then what do other traditions and values, and most importantly, land, - which sets the indigenous inhabitants apart from the urbanites - mean to the walled villagers now? How has change affected the gender dynamics in the walled villages, and how has this helped to produce the women's inheritance movement, an event that changed the century-old law of exclusive male land and property inheritance in the walled villages?

One of the most urgent issues that needs to be examined critically, relating to the current situation of the walled villages, is the extent to which the possession of land in the rural community, under the auspices of the British colonial government, has changed from a need to preserve communal cohesion and patrilineal tradition to

a privilege that generates wealth and fortune. This subsequent change in the meaning of land, as the New Territories undergo urbanization, has led to riches as well as to feuds among the walled villagers. In the next chapter, I look at how the changing meaning of land, which is also facilitated by the government's Small House Policy (SHP), a policy that allows only male indigenous inhabitants to erect a house, has perpetuated and consolidated gender inequality in inheritance. Furthermore, I explore how this act has also discouraged women of the new generation to remain in the walled villages. The colonial definition of indigeneity has been challenged by scholars and even by some of the female walled villagers. This definition of indigeneity, a word that is associated with tradition and customs in the walled village context, was the cause of a movement that eventually overturned the century-old law of unequal inheritance between men and women in the walled villages.

### **Chapter 3**

#### **The changing meaning of land in the walled villages and the land inheritance movement in the nineties**

##### ***Introduction***

In Wang Toi Shan, there are two separate entrances/exits connected to two main roads that diversely lead to the two different areas in the northern part of the New Territories, a step away from the border with China. Far from the grand entrances you would expect from walled villages, vegetable or paddy fields or pagoda roof architecture or grey-brick houses that grace many of the photos or books on rural villages, both entrances greet you with garages and warehouses that led to meandering of houses or more warehouses and rugged roads. While taking a car ride or a walk along the road leading to the centre of the village, the messy clusters of old and new houses and the close distance between them seem to suggest the strong demand of the villagers for housing and a vibrant, hectic village life.

Yet, any stay of longer than a day, and any conversation with the villagers will reveal that a number of them, who look like any of the walled villagers in the village are in fact, urbanites who have moved in for cheaper rents or convenience to work. In contrast, a number of walled villagers in fact have themselves moved out. A number of houses, if they are not empty, are now occupied by ethnic others from South Asia, Africa, and countries in Southeast Asia such as the Philippines and Indonesia. These days, there are a few foreigners from America and England who have moved in, too. While some of the houses erected, or under construction in the



village, and a host of standardized mansions are for the villagers; more are prepared for renting out or for eventual sale. Villagers are taking advantage of every opportunity they can to build houses or if not to rent or sell their land for money. Land is also rented for warehouses or garages. Even in Shan Ha village, land outside the village compound is rented out for farming but a lot of this land is used for warehouses and garages. In Wang Toi Shan, a lot of villagers rent or sell their house to outsiders who are ready to move in, reaping lucrative profits.

In a village council meeting I attended in Wang Toi Shan not long after I commenced my fieldwork, villagers discussed the growing outsider population, especially those from South Asia and Africa. Some elders expressed their concern over the growing foreign population and were worried about the safety of their villagers and the possibility of diluting their clansmanship. Yet, a number of the villagers rebuked this suggestion, believing this to be an inevitable trend. They claimed that without the foreigners moving in, the houses would be empty, and if that was the case, what was the use of the houses? A number of them further raised an important point that renting out land and houses is an important source of income and they should allow individual preferences on renting their houses to people who wished to live there.

Scholars like Chun (2000) and R. Watson (2011) have been exploring the changing meaning of land and its impact to the indigenous community. They have already pointed to how outmigration of the walled village community and current policy have affected the changing practice in the walled village community. The commodification of the walled villages in the past decades is a clear testimony on the change of value of land to these indigenous inhabitants, whose clansmanship and

social rootedness was once tied to the land. Land, which was considered to be the most invaluable asset to the rural community for both their material livelihood and social cohesion, and their kinship ties, retains its significance for the walled community to date. Yet, the nature of the significance changed dramatically when the government recognized the potential of the New Territories for the growing population since the 1970s.

To the walled village community, land is still an important source of material livelihood, but the nature of that material livelihood has changed. As in Wang Toi Shan, land has become a major source of income to the walled village, when it is sold to the government or to the property developers. Land is also valuable when they can be rented out or used to erect houses for rent or sale. Land, a word that evokes both awe and wonder in Hong Kong because of its scarcity, has become synonymous with wealth and power. Those who own land in Hong Kong wield considerable wealth and influence, and most importantly, exclusivity. The indigenous inhabitants of the New Territories who, having been granted the right to retain their customary practices, are also allowed to keep their land, as promised by the colonial government when it set foot in the New Territories - concluding with an agreement with the villagers in 1910<sup>21</sup>. Their special “indigeneity” granted by the

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<sup>21</sup> Part II, section 13 of the New Territories Ordinance states: “In any proceedings in the High Court or the District Court in relation to land in the New Territories, the Court shall have power to recognize and enforce any Chinese custom or customary right affection such land” (Selby, 1991; Loh, 2004). Before the Tang vs. Tang case, there was no precedent and thus the court’s decision would determine how much power could section 13 of the NTO exert in future. In the Tang vs. Tang case (1970), the final decision went to applying section 13 of the New Territories Ordinance and thus the case became the precedent of any court case relating to land disputes in New Territories. The significance of the Tang vs. Tang case is that it was established that the application of Chinese custom and customary right to land cases in the New Territories is mandatory (Selby, 1991 and Loh, 2004).

government's pure administrative purpose allows them to enjoy an exclusivity that no other ordinary Hong Kong citizen could. With a policy introduced in 1972, allowing all male indigenous villagers to have a concessionary grant of land for them to establish a house of their own, the interest and dominance of the male indigenous inhabitants is further secured. Rapid urbanization and continuous urban sprawl triggered by socio-economic change have not only given the New Territories a facelift, but have also affected the gender dynamics within the walled villages.

Discussion of land and its changing meaning through time is, therefore, integral to an understanding of the transformation of the New Territories, especially in regards to the exploration of the changes within the walled village community and of their gender dynamics. Land ownership is what sets apart the indigenous inhabitants from the non-indigenous, mainly the Hong Kong urbanites, in legal as well as in terms of social implication. It is the indigenesness, promulgated by the British colonial government that classified the walled villagers as a group distinct from ordinary Hong Kong citizens, citizens who have no rights in the owning of land. It is also the word that sets apart the male indigenous inhabitants from the female indigenous inhabitants, who in both legal and customary practice, have no rights in inheriting properties from their parents. Land, as time evolves, has changed from a symbol that mainly represents the social cohesion of a clan and a source of basic livelihood into a source of continuous supply of material wealth. This change also alters the dynamics within the walled village – a community that used to be known as exclusive and tightly-knit to such a degree that outsiders were afraid to trespass their areas for fear of retribution. Scholars who study the New Territories have always noticed land is a seminal issue in understanding the intricacies of the life in the New Territories, especially how colonial policy on the indigenous inhabitants

and land are implicated until now. Chun (2000) investigates the impact of colonial policy to land in the indigenous society, especially how the changing meaning of land in the New Territories has impacted the indigenous community. Cheung (2007) takes on Chun's approach and looks into how the colonial government has affected the indigenous community in the colonial period. Their studies focus on how changing meaning of land is affecting the indigenous community. In Cheung's book, he examines not only on how changing meaning of land and the colonial policy has affected the indigenous community, but also gender dynamics within the indigenous inhabitants.

The discussion of land is also important for an understanding of the 1992-94 inheritance movement, an event that changed the century-old law of gender inequality in terms of inheritance. As scholars (Cheung 2007; Jones 1995) who study in the inheritance movement has noticed, the inheritance movement is a result of the unequal inheritance practice and changing meaning of land that aggravates the abuse of the inheritance practice that further deprives women from the prospects of inheritance. Jones's (1995) article has pointed directly to the inherent problem within the land inheritance system that was perpetuated with the auspices of the colonial government. The event was sparked by a group of walled village women who were either harassed, or cheated, or bullied because of conflicts among family members over land and property rights, which in the contemporary walled village context, denotes wealth and power. The land policy of the New Territories, as Cheung (2007: 6) comments, is never 'gender neutral'. Those walled village women who came out to fight for themselves were cases in point. Therefore, it is crucial to explore the land issue in the New Territories and the land policy of the two administrations. This exploration should also be coupled both with a discussion on the changing landscape

of the New Territories that facilitated changing dynamics within the community, in particular gender dynamics within the walled village, and a consideration of how this instigated the furore that led to the legal change in the inheritance law.

Land is closely tied with the indigeneity. It is because of indigeneity they hold within their community that their claimed customs and traditions are preserved, especially in terms of land inheritance. It is also because of the belief of being indigenous that there has been such a deprivation of women's rights, due in particular to the different interpretations of 'customs' and 'traditions' between the village women and the men, and the growing tie between money and land in contemporary Hong Kong that led to conflicts among family members and kinsmen, a major reason in the stories of walled village women activists in the 1992-1994 movement. The patrilineal concept of land and property inheritance also creates a gender divide that discourages women from staying in their natal village, especially the young generation, who has learnt at an early age and accepted that the natal village is not their home because they will eventually marry and move out. Also, with the compulsory education scheme launched in the 1970s and the blurring rural/urban divide, women are looking for opportunities and satisfaction that they could never obtain or achieve if they stay in the walled village.

In what follows I will examine the question of land in the New Territories and the changing meaning of land, both in legal terms and its importance in local communities by specifically looking at the Wang Toi Shan and Shan Ha. I will also examine the extent to which the legal change of land inheritance has impacted on the view of equal inheritance as well as the actual distribution of land in the two villages. As the land issue in the New Territories is a historical as well as a gendered issue

concerning the walled village practices, I will first chronicle the 1992-94 movement that led to the legal change in the land inheritance in the walled villages, I will then examine the meaning of land to the traditional walled village community and how this became a complicated issue with the advent of the British government. I will also discuss how the legal changes and its changes within the community have impacted local communities and especially upon women, across generations, both those who stay in the villages and those who leave the village. By looking at the intersections of gender, generations and social structure, I would like to explore to what extent the legal change pose an effect on the current practices of inheritance in the walled villages and whether other factors like individual choices and socio-economic factors are also playing important roles in changing the current practices of inheritance that in a way reflecting the changing gender dynamics within the walled villages.

### ***The 1992-94 women's inheritance movement***

A native of Wang Toi Shan village, Tang Ying was despised since she was very young because of the way she looked. Because she was considered ugly by the village standard, she was sold for HKD160 to her husband to pay for her father's funeral. After she married, things did not improve because she was not pretty. Her husband never came home and her in-laws despised her so much that she was pressured to return home. Yet she refused because in the old days, no married out daughter was allowed to go home since this would bring shame to the family. Failing to convince Tang Ying, her in-laws then decided to divide the household, giving her two bowls and a broken saucepan. Her husband soon left her for another woman and she was so ashamed and desperate that she tried to hang herself, but failed. So, she

took her blind mother and her five children from her first marriage to the city and started working as a construction worker, hoping that her new identity in the city would allow her to forget her village sorrow. But as she said” “Once you are born as a walled villager, it’s a point of no return. They (the walled village men) are not going to change. And they are die-hard conservatives. You either submit or you are out.” This time, however, Tang Ying did not submit, she decided to fight.

The movement did not begin with Tang Ying; but it was because she was being cheated by her relatives over her father’s property that she joined the movement. Tang was angry because her mother’s entitlement was taken by her next-of-kin without fulfilling his promise. In 1974, her next-of-kin was granted approval to inherit her father’s landed properties, with Tang’s mother. In the legal documents, it was stated that her next-of-kin promised to take care of Tang’s mother during her lifetime and be responsible for her funeral after her death, witnessed by another relative. According to the legal document I received from Tang Ying, her next-of-kin failed or refused to keep his promise to look after Tang Ying’s mother. Therefore, Tang Ying’s mother wanted to claim back her landed properties.

Tang’s participation in the women’s inheritance movement was purely coincidental. One day in 1992, she was sick and went to visit Dr. Cheng Lai-sheung the doctor, the catalyst of the movement, as a patient. She told Cheng about her story and from there she learnt about the plan of conducting a collective battle over their maltreatment by their male relatives. So, she began to file a court case against her male relatives and her fight on the front, with five other walled village women, and their leader, Cheng Lai-sheung.

Until 1994, Cheng Lai-sheung was just an ordinary village woman in Hong Kong. She could never have imagined herself becoming one of the women warriors, reshaping the history of Hong Kong women and becoming a symbol of challenge to the long-established patriarchal rule in the territory. Born one of the indigenous villagers, Cheng knew long ago that as an indigenous village woman, she would have to endure sexual inequality in the village and more. She would have to put up with a centuries-old law that prevented female offspring from inheriting the family's land and property. It is important to stress that this was a law that only existed in the New Territories, and did not pertain elsewhere in Hong Kong. She knew that, despite the economic surge and significant improvements in women's social status in Hong Kong, as a whole, she could never share the fruits of success that were accessible, by right, to her urban counterparts. Unlike them, she was eternally bound to the village and the custom that had been passed from one generation to another. Or so she thought. Never did she realize that when her father died without a will, the consequence of the land inheritance law, which allowed only males to inherit the land and properties of their patrilineal ancestors, would pinch her so hard that she would have to join forces with other women, suffering the same plight, to fight for their own survival, leading to a change in the course of Hong Kong women's history<sup>22</sup>. "Things have to change now", Cheng said in her interview with the South China Morning Post in 1994<sup>23</sup>.

Cheng Lai-sheung was, in fact, the main catalyst of the 1994 inheritance movement. Cheng's father had a two-storey house in the New Territories. When he died without a will, which was a common practice in the New Territories, her two

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<sup>22</sup> Some of Cheng Lai-sheung's information is quoted from Merry and Stern (2005), and Stern (2005).

<sup>23</sup> Q. Chan *Sunday Morning Post*. 1994. 'Behind the battle of the sexes'. 27 March, pp.12-13.



brothers inherited house. In May 1991, Cheng's brothers decided to sell it to a private developer. However, Cheng was still living in the property and told her brothers that she would only leave if she were given a share of the proceeds from the sale, citing her father's verbal promise to let her stay in the house and a Qing dynasty law that allows unmarried women to reside indefinitely in the family's home after a father's death (Stern, 2005). In the following two years, the buyer of the house harassed Cheng - once smearing excrement and urine around the interior, and on another occasion, releasing mice (Stern, 2005).

Cheng was so disturbed with the series of threats that she decided to write a letter to Chris Patten, the then governor of Hong Kong, claiming that, in her words, "I was persecuted because of the [Chinese customary] law" (Stern, 2005). The Governor replied but no action was taken. Cheng then took a further step in writing a letter to the *Oriental Daily*, one of the popular, mainstream newspapers in Hong Kong; but to no avail. However, someone at the newspaper put Cheng in touch with Linda Wong Sau-yong (also Linda Wong), a social worker at the Hong Kong Federation of Women's Centres. Cheng told Linda Wong on the phone that there were several others who shared her plight. Linda Wong met the women in Yuen Long. Wong Sui-lai, who had seen the article in the newspaper, went to see Cheng, whom she knew because she also lived in Yuen Long<sup>24</sup>. Tang Ying, who happened to know Cheng because she had been to see her as a patient, also came to the fore and invited her distant relative, Tang Yuen-dai, whose eight houses and thirty pieces of land had been taken away by her uncle<sup>25</sup>. Tang Mui, who later met Cheng through

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<sup>24</sup> Wong Sui-lai, Interview, 24 April 2009.

<sup>25</sup> Tang, Ying, Interview, 6 June 2009.

Miss Chan, a social worker from Caritas who lives in Lung Yuet Tau, who was brought by Ms. Chan to the rally, where she met Cheng Lai-sheung<sup>26</sup>.

Cheng gathered all the interested village women in her chiropractic clinic to meet Linda Wong. Their first meeting was held in a restaurant in Yuen Long<sup>27</sup>. “Unlike those of us who want to have a quiet place to talk, they liked to talk things over during *yum cha* (Chinese tea and dim sum)”, says Linda Wong.

They then took their inheritance cases to the public and the legislators, and thereby instigated a year-long tug-of-war between the clansmen, led by the traditional group in the villages, the women advocacy groups and the indigenous women themselves (E. Chan, 1997; Jones, 1995; Loh, 1997; Merry and Stern, 2005; Basler, 1993; Stern, 2005). While the village women adorned themselves in traditional Hakka clothing, chanting their Hakka songs lamenting their fates and telling their stories, Linda Wong and other women activists helped to launch the campaign, lobbying for support from legislators and the government to make their cases heard and, if possible, to have their cases addressed and to regain what they deserved.

The stories of Cheng and the other six women soon caught the attention of both the local and international media, such as the New York Times and the Sunday Telegraph. Through Christine Loh, who was a legislator at that time, Britain’s ITN Channel 4 also chronicled the movement. The whole event had been transformed

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<sup>26</sup> Tang Mui, Interview 2 June 2009.

<sup>27</sup> The first meeting did not include all the aforementioned village women. Tang Mui joined later in the rally.

from a local dispute over inheritance to a fully-fledged political battle between the old and the new. This time, the British colonial government and the Hong Kong city legislators would have to decide whether they would change the law in a way that favoured the village women but antagonized the rural patriarchs or, to preserve the tradition and outrage the women activists, who included both international human rights activists and some of the women legislators who supported the changing of the existing law.

On October 3<sup>rd</sup>, 1993, with the help of Linda Wong, Cheng and several other indigenous women filed a complaint at the Complaints Division of the Office of Members of the Legislative Council (Stern, 2005). As the indigenous women were mobilizing, the issue had become so explosive, thanks to the media that it needed to be resolved once and for all. Legally, the problem stemmed from Hong Kong's dual legal system regarding the land. While Hong Kong and Kowloon; the two other regions which were ceded to Britain during the treaty of Nanjing in 1842 and the convention of Beijing in 1860 respectively, were governed by the British common law legal system, the New Territories, which was leased to the British in 1898, was governed by the 1910 New Territories Ordinance, which recognized Chinese customary land law. Over the years, Chinese customary laws and customs had turned from optional to mandatory with the Tang vs. Tang decision in 1970 (Selby, 1991; Jones, 1995; Loh, 2004; Stern, 2005)<sup>28</sup>.

The issue became even more complicated when Carol Jones, a legal academic and her assistant Kate Allan, who were working on a shadow report for the

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<sup>28</sup> Refer to footnote 21.

Hong Kong Council of Women on compliance with the International Covenant on Civil and Political Rights (ICCPR), discovered that the law did not apply only to the indigenous villagers but to all residents of the New Territories, including those who lived in the urban area, and including the new towns of the New Territories. The findings put the government in a difficult position. It suggested that the 340,000 owners of apartments and houses in urban parts of the New Territories should know that Chinese customary law applied to them (Home Affairs Branch). Now, the New Territories Ordinance would have to be amended to allow female urban residents to inherit property when the owner died intestate, following the laws in place elsewhere in urban Hong Kong.

On November 19<sup>th</sup>, 1993, the government introduced the New Territories Land (Exemption) Bill. The bill exempted urban land, that is, land generally inhabited by Hong Kong residents who had moved into the New Territories, from the New Territories Ordinance. Christine Loh, a lawyer and a legislator who took up the female inheritance case, submitted an amendment calling for the inclusion of the right of female villagers to inherit properties like their male counterparts.

Seeing this as an advantage for them, the indigenous village women seized the chance and demanded equal rights to those of city-dwellers. Less than a week after they had lodged the complaint at the Complaints Division of the Legislative Council, the council passed a non-binding motion calling for female inheritance in the New Territories with majority support (*South China Morning Post*, October, 14, 1993a).

Heung Yee Kuk, the legal body representing the indigenous villages, did not pay any attention to the whole event until the government announced that it would not oppose Loh's amendment. The development of the incident surprised the Kuk as they believed the government would not dare oppose them for fear of losing the Kuk's support for the development of the New Territories. Some Kuk members felt that the government had sold them out because it no longer needed their support (*South China Morning Post*, April, 18, 1994).

Shocked by the government's response, the Kuk organized a rally on March 22<sup>nd</sup>, attended by over 1200 supporters calling for the government to give up the change to the century-old law. During the rally, things got out of control as twenty incensed indigenous villagers broke through the security barriers, cursed and attacked demonstrators for female inheritance rights, threw water bottles and ripped up banners (*South China Morning Post*, March 23, 1994). A legislator who supported the village women was punched in the kidneys by the Kuk protesters 'for being cheeky' (*Singtao Daily*, March, 23 1994).

As the intensity of the struggle was mounting between the indigenous women, led by the women's advocacy groups and some democratic legislators, including Christine Loh, Martin Lee and Anna Wu on the one hand, and the traditional clansmen, led by the male-dominated Heung Yee Kuk on the other, nasty tit-for-tat accusations and standoffs made colourful and sensational daily spreads for the Hong Kong newspapers. Some of the Kuk members even vowed to rape legislator Christine Loh if she dared enter the walled villages (*South China Morning Post*, March 26, 1994), and then 'sentenced' Chris Patten to death (*South China Morning Post*, April 18, 1994). Finally, on June 22<sup>nd</sup> 1994, three months after this heated

confrontation between the two camps, the new law was passed. Female indigenous villagers were then legally allowed to inherit their parents' property, just as the males did.

However, the story did not end here. Upon passing the law, Lau Wong-fat, chairman of Heung Yee Kuk, commenced proceedings against the Attorney General claiming that the new NTL(E)O had violated human rights (article 15 and 19 of the Bill of Rights Ordinance). He also argued that the new law violated Article 40 of the Basic Law, which protected 'lawful traditional rights and interests of the indigenous inhabitants of the New Territories'. The court held that no human rights law had been violated and dismissed the case<sup>29</sup>. Lau Wong-fat and Heung Yee Kuk then appealed to the Beijing-appointed Preliminary Working Committee for the Hong Kong Special Administrative Region Preparatory Committee. There was the possibility that the law might be repealed, as the Preliminary Working Committee's Legal Sub-group opined on October 17<sup>th</sup>, 1995<sup>30</sup>.

Loh continued to lobby the Preparatory Committee - in her words, "to stop this nonsense" (Loh, 2006: 282). She then wrote a letter, jointly signed by 11 women's groups, to each member of the committee on March 8<sup>th</sup>, 1996 (International Women's Day). Following this, she wrote another letter to Simon Li Fook-sean, then deputy director of the Preparatory Committee, to clarify her earlier statement. She stated in her letter to Mr. Li that "[t]he main problem was that indigenous New Territories women were excluded by virtue of their sex from inheriting what is surely the most valuable local resource, land. I (Loh) believe that there can be little

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<sup>29</sup> Lau Wong Fat vs. Attorney General. [1997]. HKLRD 533

<sup>30</sup> From Loh, Christine (2006) *Being Here Shaping a Preferred Future*. Hong Kong: SCMP.

doubt that clear-cut and serious discrimination against women contravenes recognized international standards for equal treatment, including standards set by the two international covenants mentioned in Article 39 of the Basic Law. The adoption of the NTL(E)O will serve as an important signal that Hong Kong under the Basic Law will not retreat from those standards”<sup>31</sup>.

In the event, the Preparatory Committee did not include the New Territories Land (Exemption) Ordinance in its final report on laws contravening the Basic Law, and thus the 1994 amendment remained intact. The legal change of the inheritance regarding the indigenous inhabitants has ended the century-old patrilineal practice that favours male descendants.

The customary practice favouring males, which is legalized and justified through the British colonial government, is in fact, a result of the Chinese customary practice, reinforced through the colonial government policy. The justification of their “indigeneity”, as I shall discuss in a later section of this chapter, is an arbitrary definition for administrative convenience that later becomes the core argument for the indigenous villagers to retain their special privilege, one of which is to perpetuate their interests through the male line.

***The history of land, family property rights and inheritance in the indigenous villages***

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31 From Loh, Christine (1996) Letter to Mr. Simon Fook-sean Li Adoption of the New Territories Land (Exemption) Ordinance (NTL(E)O) as a law of the Hong Kong Special Administrative Region. Unpublished Letter.

In Shan Ha village, the period around Chinese New Year is an exciting time for the villagers. It marks the birth of the village's baby boys with the lantern-lighting ceremony (*hoi1dang1* 開燈) or (*dim2dang1*) 點燈. The Lantern Festival celebration at Chinese New Year (*jyun4siu1zit3* 元宵節) of 2009 had a special meaning to the Shan Ha villagers, as the day when they announce the number of baby boys, the hope of the village, being born in Shan Ha. On that day, Cheung Muk-lum, the respectable district councillor elect announced the birth of 11 new born baby boys in the village. He declared on the Chinese Valentine's day that there were 11 new born baby boys and hoped that the 11 baby boys, as those who would inherit the village's fortune and heritage, would continue the village's line, bringing hope and prosperity to the village's future.

“The more sons the merrier:” the same phrase was uttered by almost every walled villager from the two villages, and those who said this were both male and female in their mid-30s in answer to my question about the sex of children they would prefer. Their answer was a stark contrast to that of people in the urban area who usually replied with “don't care about the sex of the children as long as they are good”. In walled villages, without a son, a family is considered as having its line cut off. This does not only bring shame to the family and render them a topic for gossip among other villagers, but also diminishes the wealth of the family. Even though money is given to both men and women in both Shan Ha and Wang Toi Shan, a family without a son means that they will have no rights to build a small house that could generate more profit. They may lose a comfortable livelihood and their houses and land may eventually be transferred to their next-of-kin.



An example of this fate is provided by the case of Tang M in Wang Toi Shan, who told me his story. He had three daughters and was being laughed at for having no sons. He was being called “*gulltau4lou2* 孤頭佬” which means “lonely old man” since when he grows old he will be lonely since his daughters will all be married out. Tang M felt a lot of pressure from the village when everyone was expecting someone to have a son. In the second *fong* of Wang Toi Shan, one of the prominent village chiefs had asked C. Tang’s family why the two brothers were still single when they were already past 50. “He is worried that our village’s population is dwindling. And when we have less and less sons, our *fong* will disappear.” Of course, in some ways, having fewer people is to the advantage of the second *fong* because when the second *fong* divides the money of their ancestors, they receive a larger portion than those villagers from the first *fong* since the first *fong* have a huge population. In the long run, however, having fewer and fewer male offsprings would mean that their line may eventually disappear, and this is dreaded by walled villagers, who value a lot on the continuation of their bloodline.

In fact, the walled village patrilineal practice should be primarily understood in the traditional Chinese customary context. Patrilineage has been the *modus operandi* since imperial Chinese rule due to its agricultural nature. Having male children is the most important task in a family for continuing the bloodline. “In traditional Chinese society, children, particularly male children, were highly valued. Male descendants were needed to continue the worship of the ancestors, to inherit family property, and to support the parents in their old age. Without sons, a woman’s existence was without meaning, and she and her husband had little security in this life or the next” (Johnson, 1975: 215). Today the indigenous villages still preserve the old feudal gender role of ‘male are superior and female are inferior’ (*nanzun*

*nübei(p)* 男尊女卑), of ‘valuing males and belittling females’ (*zhongnan qingnü(p)* 重男輕女), and of adhering to the traditional patriarchal value-system. Johnson’s (1975) analysis of Kwan Mun Hau Village, one of the walled villages in Tsuen Wan; R. Watson’s (1985) *Inequality among Brothers*, a study of Ha Tsuen in the 80s; S. Chan (2001) and Cheung (2007) and K.S. Chan’s (1998, 2012) have all pointed out that, in general, life in the walled villages adheres to the traditional Chinese practice of patrilineage and patriarchal dominance. Lineage in the walled villages does not record the names of the women. Walled villagers in general still desire a son through which to continue their bloodline, with men still being the ones to inherit land and property.

Many walled villages in Hong Kong are like Shan Ha in the sense that married-out daughters are not allowed to move back to their natal villages once they move out. If they want to live close to their natal families, they must therefore live in another village or a place close to their natal village. Women seldom appear in the village hall since gender segregation in social life is still common (S. Chan, 2001). Evidently, women in the walled villages, as in traditional Chinese society more widely, are not expected to inherit land or property from their parents due to the accepted belief that a married-out daughter is like poured-out water (*gaa3ceot1neoi2, put3ceot1seoi2* 嫁出女, 潑出水) (Johnson, 1975; R. Watson, 1985).

A married woman will be considered no longer to be an integral part of her own family and to belong to her husband’s family. Her existence is meaningless unless she bears a son for her husband’s family (Johnson, 1975; Ocko, 1991; Wolf, 1985). Married daughters, therefore, receive nothing when their parents die because

they are considered to belong to their husbands, and not the natal family (Freedman, 1958; Johnson, 1975; Ocko, 1991). Ocko (1991: 317) points out that during the time of the Imperial Qing dynasty, a woman did not completely “sunder her relations with her natal family, but it did alienate her from their property regime and make her part of her husband’s or his family’s regime”. A similar conclusion is drawn by Freedman in his discussions on South Eastern China. Freedman (1958: 21) states that, because the Chinese system of marriage identified “the interests of a married woman strongly with those of her new family and severed her formal economic ties with her natal family, it forced her into the struggle which essentially turned upon the rivalry between her husband and his brothers”. Yet, as Croll (1981: 113) points out, “[i]n anthropological literature, the dowry has variously been interpreted as primarily a form of pre-mortem inheritance to the bride and within the complex of women’s property rights”. It has also been noted by Patricia Ebrey (1993) that dowry could be interpreted as a form of informal inheritance. Unmarried daughters are entitled to maintenance until marriage and then received a dowry if they married. Dowries, however, remained discretionary rather than mandatory, and varied depending on the woman’s family background. Some dowries may have derived from the groom’s betrothal gifts (Ocko, 1991; R. Watson, 1985). R. Watson (1985) points out that dowries from the wealthy families of Ha Tsuen may even include a young servant girl, whereas girls from tenant families only received small dowries. Married women may receive personal valuables such as jewellery from their mothers or mothers-in-law. Women assumed control of marital property only on the death of their husbands, and then only in a fiduciary capacity (Ocko, 1991). It was also not until they were old that women were able to uphold authority<sup>32</sup>.

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32 According to Chinese history, the old woman, being the domestic person-in-charge, controls the basic ins and outs of the family; even her son’s personal affairs and livelihood. The ferocious mother-

During my fieldwork, I found out from the older generation in both villages that the practice of inheritance for women varied significantly from one generation to the next. Today, dowry and marriage practice can be very diverse and essentially depends on the choice of the new generation. For the older generation in both Shan Ha and Wang Toi Shan, class was an important indicator for the practice of dowry. Poor families may not be able to give any dowry to their daughters and often simply sell their daughters to the groom's families without providing any dowry at all. Land policy and property rights among the family members strictly adhere to the patrilineal tradition. Women, therefore, generally receive no rights of inheritance of land and properties, especially in the case of houses. They can only be, at most, the trustee for their husbands should they die (Johnson, 1975; Ocko, 1991) or on a discretionary basis such as being single or able to receive a dowry depending on the wealth and the status of the family. The important asset of land, is therefore totally unattainable for women. As Stacey (1983: 32) notes,

Land was the idealized foundation of the Chinese family. Land was the major form of property that passed exclusively to sons through the male lineage and thereby perpetuated the desired goals of family continuity and prosperity. Land was so basic to this system that it has been suggested that the 'strong sense of the importance of kinship ties is extend to a symbolic kinship between man and the earth.'<sup>33</sup> Peasants in Taitou, Shangtung, graphically

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in-law and poor little daughter-in-law was always the theme of early Cantonese drama. In Wolf's (1985: 4) book, she points out that women's relatively secure and peaceful existence at the third stage of life in which they 'rely on their son'. As she says in her book, "...for the balance of one set of obligations, that between young and old, had tipped in her favor. The three Obediences might require her adult son, but rarely would a son risk the social opprobrium that would result from neglecting or mistreating his aged mother".

<sup>33</sup> Stacey quoted Hsiao-tung Fei, *China's Gentry* (1953) p.130.

expressed the centrality of this relationship: “When we say a family is broken, we mean that the family’s land is gone<sup>34</sup>”.

‘Land’, as Chun (2000: 125) points out, “is best described as a complex of ideas”. In fact, Chinese consider land, not just as something that generates basic material livelihood, but also as a form of communal identity. Even though, as Chun (2000: 125) observes, villagers often “abandoned the land in traditional times and resettled when it was in their interest to do so”.

Land in the past was also closely related to lineage differentiation and segmentation. It is closely connected to the organization of lineages within the village. In the study by Potter’s study (1970) on the Tangs in Ping Shan of the New Territories, he confirms what Freedman discovered in the Southern China that land and property serve an indispensable role in organizing lineages in Southern China.

To the Chinese, land is “[m]ore than just ‘material livelihood’. It represents a socially valued livelihood or ‘right to live’ that was ideologically sanctioned by both Confucian and Taoist philosophy. This intrinsic value or sanction explains why the individual’s attachment to land often transcended physical residence and resembled a kind of social rootedness” (Chun, 2000: 125). The custom of inheriting land is strictly patrilineal in the Chinese society with its agrarian-base that values men’s physical prowess. The social rootedness is a feeling generated from kinship ties that derive from patrilineal practice, becomes a justification of where they are, or their home (*kaheung*). This relationship between patrilineal inheritance of land and wealth is deeply entrenched in the walled villages and continues to be the custom. Even

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<sup>34</sup> Stacey quoting a quote in Martin Yang’s *Chinese Village* (1946) p.46.

with the changes of government and later socio-economic changes that took place in the New Territories, protecting people's rights to own their land is still a firm belief held by the walled villagers, villagers who would do anything to defend their 'custom' and now more of their vested interest rather than the related custom of social rootedness. For women, however, such rootedness is inherently mobile, unstable. Their allegiance, as discussed above, is never with their natal village; rather it is linked to their husbands' home.

Like all walled village communities in Hong Kong and villages in Southern China, Wang Toi Shan and Shan Ha have been practising patrilineal inheritance and patrilocal residence. In the past, land and properties such as ancestral estates are synonymous to the Tangs of Wang Toi Shan and the Cheungs of Shan Ha village with their clan identity, their livelihood and their clan cohesion. To this day, to the Cheungs of Shan Ha village, land is still considered an inseparable part of their identity and clansmanship. In the village of Wang Toi Shan, however, the value of land has taken on another meaning since they have opened up the villages and allowed outsiders to move in, to rent or buy land and properties. The practice of patrilocal residence has therefore inadvertently gone with outsiders or daughters who can move into the village as long as they can afford to buy or rent a house in their natal village. With the Small House Policy in the 70s, coupled with the commoditization of the properties in the villages, land has become a way to earn lucrative income. Retaining land will only make sense to the villagers if they can build houses or rent them or sell them for profit. As a result, land is no longer synonymous with social rootedness but a potential source of lucrative profits, especially when it is sold to property developers or for building houses for sale. Land is only valuable when it can generate profits for the village. As in Shan Ha village,

where land and houses within the village compound are not for sale or for rent, they become wasted and barren. At that point, the meaning of land is what defines the village and the clan. In effect, numerous walled villages in contemporary Hong Kong context have surrendered themselves to the commoditization of land and properties, with the introduction of the Small House Policy (SHP), which further encourages the commoditization of land and properties, and further exacerbates the difficult conditions women face when they are legitimately excluded from land and property inheritance.

### ***The Small House Policy and the changing meaning of land in the walled villages***

In Wang Toi Shan and Shan Ha, every male born is waiting for the big day when they can finally exercise their rights to build a house of their own, a legitimate act bestowed upon to the walled villagers by the British colonial government through the Small House Policy or SHP. Introduced in December 1972, the SHP was approved by the Executive Council and was formulated to allow an indigenous villager to apply for permission to erect, for himself and during his lifetime, a small house on a suitable site within his own village<sup>35</sup>. The SHP allows any male over the age of 18 who can trace his ancestry through the male line back to 1898, and as an indigenous village in the New Territories of a recognized village<sup>36</sup>, to apply for a one-off concessionary grant of land (also known as Private Treaty Grant) to build one small house, called a ‘*ding*’ (literally, ‘male’) house, this is for occupancy by

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<sup>35</sup> Lands Department. Available at <http://www.landso.gov.hk/en/legco/house.htm> (Accessed 22 March 2010)

<sup>36</sup> A ‘recognized village’ is one which is shown on the list of recognized villages approved by the Director of Lands. Lands Department. Available at <http://www.landso.gov.hk/en/legco/house.htm> (Accessed 22 March 2010)

himself and his family. Such grants are “made at nominal premium subject to strict restrictions on alienation (the act of transferring property to others) other than a pure mortgage for building the house itself. Only if the grantee later pays to the government the full assessed market value of the lot is he then entitled to sell the lot and house for profit” (Nissim, 2008: 7). Villagers are allowed to erect buildings that

*neither contain more than three storeys nor exceed a height of 8.23 metres (27 ft.) and the maximum roofed-over area of the house shall not normally exceed 65.03 square metres (700 sq. ft.).* Under the said Ordinance, a certificate of exemption should be obtained from the District Lands Officer prior to the commencement of any building works unless plans prepared by an Authorized Person have been approved by the Building Authority. Similarly, the owner should apply for separate certificates of exemption for site formation works and drainage works from the District Lands Officer and shall not commence any works on site before obtaining the necessary certificate of exemption, or securing approval of plans by the Building Authority<sup>37</sup>.

In both Wang Toi Shan and Shan Ha, once a male villager has reached the age of 18, they can submit their application to build a “*ding*” house. There is no time limit as to when one submits one’s application. 26 year-old Jay Tang from Wang Toi Shan submitted his application in 2013 for building a “*ding*” house next to his father’s house. He had no money to build a physical house yet, but like other villagers who are qualified to build a “*ding*” house, and know that they will have the money eventually, he submitted the application once he was ready since it usually takes a few years to be approved. This gives them time to save some money. For those who already have a piece of ancestor land, their parents can build the house

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<sup>37</sup> Lands Department. Available at <http://www.landso.gov.hk/en/legco/house.htm> (Accessed 22 March 2010)



once they are ready to do so. Some will apply a few years before they marry; others once they are 18 if they have a sufficient amount of money. Some other villagers who live overseas in fact will return to submit their application and when it is approved, they will return, from time to time, to check on the construction progress.

Whilst living in Wang Toi Shan, I knew 17 year-old Vic Tang since he was 14. His parents both earned their fortune through the properties business in the walled villages around Pat Heung. Vic, who had not yet submitted an application for building the Small House, told me that his parents would help him do it as soon as possible, and that this was something every male walled villager would do if they could afford to build a house as this was important to them. A house means wealth and security. To Vic, this is also a bestowed birthright that he deserves because he is a walled villager or, as he is formally termed, an indigenous inhabitant.

The reason for walled villagers were building houses on their ancestors' land, on their parents' land, on their family's land, is because they can also rent or sell those houses to outsiders for healthy profits. Many of these houses become the main or even the only source of income since it can amount to HKD 20,000 per month in rent for a three-storey house. This is also why numerous male villagers do not have to work, since the SHP allows the villagers to sell their house after the Certificate of Compliance is issued. Many villagers in Wang Toi Shan take up this opportunity to sell their houses. Some of the houses, like the flat in which I lived during my fieldwork will not be sold but continuously rented out for profit. The three storey "*ding*" house I split into two blocks of 350 square feet flat only each floor. The owner, a walled villager who moved to Canada, collected the rent through his two sisters and they were the custodians of his property. The amount of rent they

collected for the two blocks are up to HKD 20,000 per month, enough for an individual to a comfortable life in Hong Kong.



Figure 3.1 Wang Toi Shan cluster

In both Wang Toi Shan and Shan Ha village, if villagers cannot afford to build a house, they sell their “*ding*” rights to those who want to erect a house in a village. A few of my informants in Wang Toi Shan told me that the “*ding*” right could be sold in HKD200,000 if the villager had not already submitted their application; and for those who had submitted it and had it approved, the price of their “*ding*” rights could go up to HKD 1,000,000 to 2,000,000.

While the Small House Policy was originally considered to be a measure, introduced by the British government to compensate “the indigenous population by ensuring that their needs and traditions were respected and that they could also benefit from the major changes that were being forced upon them, particularly the

development of the New Towns and their associated infrastructure” (Nissim, 2008)<sup>38</sup>, the changing value of land and the commodification of the villages, together with the out-migration of a lot of villagers has given rise to abuse of the system. The SHP, which was intended to address the grievances of the Heung Yee Kuk, which warned the government “must cease to expropriate villagers’ land” (Bray 2001: 163), has turned into a policy which instead privileges the walled villagers. Rather than preserving the tradition and the needs of the villagers, the policy has become a catalyst for commodification and for the erosion of tradition like patrilocal residence.

In fact, changes in land use in the New Territories, after the war and after the proliferation of illegal squatter tenements due to the influx of Mainland Chinese refugees, put pressure on the government to focus on the housing problem rather than only on the land issue in the New Territories. Further problem that caused increasing tension between the colonial government and the indigenous inhabitants is that of land conversion. To cope with the decline of agriculture, people responded by changing the use of land. According to Chun (2000: 125), there were at least three kinds of changes of land use: 1) the evolution of mixed residential communities from ethnically bounded and lineage villages; 2) the wholesale abandonment of villages in the name of progress; and 3) the defence of the homogenous community in the face of increasing degradation.

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<sup>38</sup> See also Bray (2001) and Hopkinson and Lao (2003). As they point out, by 1970, it had become increasingly difficult for villagers to build houses on their own land. Government policy at that time prohibited the granting of (Crown) land for village houses to those who needed it as the land had to be sold by public auction. Anybody could bid, yet it was unthinkable that anyone not of the village clan could build a house in a village. Some District Officers would hold public auctions in the villages early in the morning so that only the villagers would take part. Another solution was to issue a ‘temporary structure permit’.

Using Chun's categorisation, Wang Toi Shan falls into the first category noted above. After the war, villagers in Wang Toi Shan relied on fishing and farming as the main source of income in the village, activities limited to the tight-knitted community until late 70s and early 80s when the village began to involve in selling and renting of land and housing business. Wang Toi Shan was a mixed residential communities from ethnically bounded and lineage villages. By contrast, Shan Ha village, as Chun describes in the third category, defended the village from outside influence and continues to do so as they keep outsiders from renting or buying their houses or land within their village compound. Many houses in Shan Ha are falling apart, and some are dilapidated because villagers have moved out of the village leaving it empty. Even with the unanimous agreement to open the village, none dared to be the first as they still worry about what would happen to clan cohesion and the pure, homogenous community.

The changes in the use of land had not come under colonial consideration before, and as such were a source of disputes due to the indigenous inhabitants needing to apply for approval in regard to any conversion of land. These changes occurred however, dramatically altering the concept of rootedness and land as material livelihood. These changes for the need to apply for any conversion in the land were now being denied by the walled villagers as a result of them believing, legalistically, that they were protected due to it being their custom, regardless of the changes to the definition of land. Continuing negotiations, tension and debates finally led to the implementation of the Small House Policy (SHP).

The SHP developed the demand of the Heung Yee Kuk for a review to be undertaken of the policy regarding the building of village houses. Until World War II, the custom in the New Territories villages was that sons could build themselves village houses on the land in accordance with the orderly layout of the village. Daughters married outside the village and relied on their husbands to build for them. However, by the early 1970s, it had become increasingly difficult for villagers to build houses within their villages<sup>39</sup>. At that point Bray the District Commissioner of the New Territories realized that something had to be done to resolve the issue, and it was this that led to the inception of the SHP.

The impact of this policy has been profound. As scholars (Cheung, 2007; Nissim, 2008) point out, it formalizes the term ‘indigenous inhabitants’ to identify the group that were settled before 1898. The term ‘indigenous inhabitants’, a special social category, was invented by the British colonial government for convenient administrative control, entirely excluding women and subsequent immigrants from the official village policy in the New Territories. By naming a special class for the purpose of administrative convenience, the British colonial rulers created a distinct group which has often been criticized as having privileges that no other Hong Kong citizens could rival. The British government and the indigenous inhabitants often defended the SHP and the rights they enjoyed as promised by the colonial government in the 1910 agreement<sup>40</sup>. More importantly, as Cheung (2007) points out, the SHP not only formalizes the term ‘indigenous inhabitants’, but also directly excludes women from the category of ‘indigenous inhabitants’. It makes “indigenouness” equivalent to “male only”, removing women completely from the

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<sup>39</sup> See also Bray (2001) and Hopkinson and Lao (2003)

<sup>40</sup> Refer to

legal as well as administrative definition of “indigenous” identity. It is this idea of “indigenouness”, created by the administration and, ignoring its implication for indigenous women that excludes them from the category of ‘indigenous inhabitants’, and in so doing deprive as them of their rights.

### ***A walled village view of the SHP***

The long historical root of patrilineage, coupled with the formalization of their practice in the name of “indigeneity” has secured the privileges of the male walled villagers as the sole benefactors of the colonial policy on the walled villages. The government’s policy of SHP and the customary practice of patrilineage have been generally accepted as *de rigueur* among the walled villagers. In Wang Toi Shan and Shan Ha, men as well as women concede that this has been the practice for walled villagers all along, and that therefore, it is legitimate for the men to inherit the properties and land from their families. In both Wang Toi Shan and Shan Ha, women, especially the older generation, generally think this is a tradition and that there is nothing to argue about.

Post-colonial gender theorists like Jayawardena (1986:15) examine how colonialism have directly or indirectly contributed to gender inequality. The colonial governments collaborated with the so-called reformers in a number of countries have retained their dominance over the women by asserting certain practices to ensure that “women could retain a position of traditional subordination within the family”. Jayawardena and Alwis (1996: xii) points out that during colonial times in South Asia, class and gender were central to the understanding of “ethnic and social exclusivism, religious fanaticism and identity politics” because there was a particular

notion of “‘respectability’ rules for respectable’ women were laid down, traditions were invented, and the reconstructed ideal woman of the ethnic/religious middle class group was represented as a symbol of its purity. In the case of Hong Kong’s walled villages like Wang Toi Shan and Shan Ha, both villages are affected by the colonial policy, which in collaboration with the local patriarchs, have consolidated the male dominance over customary practice, especially regarding the inheritance issue. The practice and the legal justification have so ingrained in the villages’ mind that the idea of patrilineage and patrilineal tradition is inviolable.

Hing Gu’s story is to illustrate how the older generation, even women perceive male’s inheritance as a natural thing to do. Hing Gu, (pseudonym), a Wang Toi Shan native who married a non-walled villager, bought a house and lived in her natal village. Following the traditional patrilineal custom, the properties of her parents went to her brother and she thought this was legitimate and that therefore the ‘SHP’ was correct. As she informed me in her own words, “男丁男丁” (*Naam4 ding1, Naam4 ding1*, male inheritor), so of course there must be a reason that people call them ‘*ding*’ (inheritor). (The implication that the word ‘*ding*’ is a word which denotes the men’s position and their rights to inherit). As in Wang Toi Shan, women in Shan Ha village also agree that SHP is a rightful thing because it has been the village practice. Tang Ah-ying (pseudonym), a 54-year- old villager from Wang Toi Shan, said that there is no point in thinking too much about women’s rights since what her husband has will be left to her and her son.

However, in contrast to these expressions of resignation to tradition, some women from the two villages such as Cheung Ah-mui (pseudonym) and Tang Fung-giu (pseudonym) think that being able to control the properties arrangement, and

having their own money and properties, is the best guarantee for their security. In their belief, familial relationships are no longer as trustworthy as they used to be in the past in the walled villages, when families and clansmanship were of utmost importance. These women instead expressed the fear that for example, their husbands might leave them for another mistress somewhere, or have given some of the assets to his mistress. Cheung Ah-mui even quotes a Chinese saying “Your own son is not as good as the money around you” (*can1san1zai2bat1jyu4gan6san1cin4* 親生仔不如近身錢). In the case of Maggie Tang (pseudonym) of Wang Toi Shan, because her husband has a mistress in Mainland China, a lot of his money and his properties in China have been given to the mistress and their sons in China. This resulted in him leaving only one property in Hong Kong to his wife, and that is not even under her name.

As for the younger generation of women, young villagers in both Wang Toi Shan and Shan Ha are not too sure what the exact details of the SHP or. They know that this is a rights for the boys and men only. They would think it would be nice if they can have the same rights in any case. But they regard it as a practice that has long existed and it is hard to change. Some young women, however, would still like to see a change regarding their possible equal rights with men in the village. In a meeting hosted by the then legislator candidate Cheung Hok-ming at the village council hall of Shan Ha village which I attended in 2008, Cheung Fung-ming, a young woman who actively participated in numerous village functions, attended the meeting. During the meeting, Cheung Hok-ming talked about his agenda for the walled villagers, one of them being the preservation of their ‘ding’ rights, as the issue of their “indigenous status” had been challenged by legislators who believed



the granting of this status to be more an administrative convenience during the colonial period and not relevant to the current times.

When Cheung Fung-ming heard what the legislator-elect said about '*ding*' rights, she quickly jumped in and asked the legislator candidate about the possibility of having '*ding*' rights for women. Cheung Hok-ming, who was caught off-guard by the sudden question coming from a female audience, replied that of course, audience should also have the rights. Cheung Fung-ming, hearing the legislator-elect giving a positive response, went on to state that since both men and women in the walled village are inhabitants, they should therefore have the same '*ding*' right as the men. The legislator acquiesced, vowing that once he became a legislator, he would fight on behalf of women.

Although Cheung the legislator's promise never materialised, there have been mounting questions and challenges about the notion of '*ding*' right being given to the indigenous inhabitants by the urbanites. In both Wang Toi Shan and Shan Ha village the male villagers especially are very defensive about their rights. They believe that the privileges they are now enjoying are their birthright and like any other indigenous inhabitants, they should be taken care of. In the view of the indigenous inhabitants, the British government's decision was correct as they had been occupying the area before the colonial government assumed control. When I talked to the villagers, the core argument was they believe they are the original inhabitants, that they are a special case and that they have their very distinct tradition and customs, which are something urbanites lack. They also trace the history of the Qing dynasty and how they have migrated to this place and settled there. They, however, rarely bring up British colonial history that bestowed them the "indigenous" status.

To them, the British colonial government seems to be irrelevant in defining their status of “indigeneity”. They always emphasize the tradition and customs throughout the conversation.

I met with Tang Yi-loi (pseudonym) who is the most knowledgeable man of the Wang Toi Shan about its history and lineage. Uncle Kwai-yau introduced him to me and we sat down and talked about its history. While I was listening to the migration tale told by Tang Yi-loi, I asked about their village’s tradition and history and no aspect of the British colonial impact came across as the most defining moment in his narratives. At the same time, I talked to Cheung Ming, one of the elders in Shan Ha village. Similarly, he traced his history and the wonder of the tradition while we were traveling together to his ancestral village in Shaoguan. While recounting the story and history of his village, no conversation touched upon the impact of colonial rule. It can therefore be concluded that the two walled villages regarded their indigeneity as a bestowed right brought about by their traditions in their lineage and migration, rather than as an administrative decision made by the British government as histories. This perspective is confirmed by existing studies by sinologists (Cheung, 2007; Chun, 2000). The British colonial history and agreement seems to be forgotten and it has no place in the history of the walled villagers.

The term indigeneity is argued on one hand, as “an ideological makeover of the old idea of primitive people” (Kuper 2006:21). Kuper (2003: 390) argues that “[l]ocal ways and group identities have been subjected to a variety of pressures and have seldom, if ever, remained stable over the long term. It is nevertheless often assumed that each local native group is the carrier of an ancient culture.” On the other hand, scholars like Kenrick (2006:19) believe that it is important to keep the

idea of indigeneity as “good social science must involve a reflexivity which explores rather than denies the political conditions and implications informing the choice of any terms”. In the common understanding, the term indigenesness or indigeneity is connected to nativity, the rootedness, the original settlement rather than a long civilization or culture, or long term migrants from other parts of the country. For walled villagers, who are migrants from China from a long time ago, their understanding of “indigeneity” is therefore different from the common understanding or scholarly studies on indigeneity.

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Indigeneity, a concept which has been widely contested among scholars, is of particular importance in the gendered analysis of the walled villages, especially on the question of inheritance in the walled villages. The idea of “indigeneity” in both the walled villages I have studied is often associated with the customs and practices in the village rather than related to the British colonial history that accounted for the arbitrary definition of “indigenous” in the walled villages context. To the villagers, this clearly refers to patrilineal descent and possibly patrilocal residence to some of the villages nowadays. Identifying oneself as “indigenous” for an indigenous man would mean “male” and have “land” and the rights of a small house stipulated in the SHP. Identifying themselves “indigenous” for an indigenous woman would imply “female”, “married out” having no small house and with land rights subject to parents’ discretion though generally having none of those rights because women are not marked in the lineage and will leave their natal villages. With the increasing commodification of the walled villages, land and houses are becoming even more precious and conflicts among villagers have intensified because of vested interests and the soaring profitability of land. Women, especially the older generation, are often the victims in conflicts regarding land and houses because they lack education

and knowledge and, more fundamentally, because of the belief that women are in no position to bargain, when the conflicts involved vested interest in the walled village. This position changed, however, when one of the natives in Wang Toi Shan, together with six other walled village women from other villages, united to fight against the century-old law against female inheritance in the walled villages. The inheritance movement has effected a change that transformed the century-old practice in the walled villages on the legal terms. However, ethnographic data from the two villages show that legal change remains less effective since customary practices in the walled villages are still extremely influential to villages.

***Land rights in practice after the legal change in post-colonial Hong Kong – An overview of Wang Toi Shan and Shan Ha in terms of land ownership***

The pattern shown in table 3.1 suggests that land and property is still held firmly in male hands, be it in an open or closed village, even after almost two decades since the law that allows equal inheritance of men and women has passed. Despite claims of improvement by the village chiefs, in the past 20 years since the implementation of the law, very few women have actually inherited directly from their fathers or their husbands. As in Shan Ha village, many people still pass their land and property on to the (male) next-of-kin so that they will help carry the lineage, be the pallbearer and take care of their funeral once the old people die. In contemporary times however, the parents will usually pass half a piece of land or money to the daughters. Nevertheless, the daughters will be constrained by restrictions on the use of the land because of both the customary practice in the village and the SHP. According to Shan Ha's practice, no married daughters are allowed to reside in the village, even if

they inherit the land from their parents, the land could only be used for garages, cultivation or at some point be sold to their next-of-kin.

Traditionally, there are two types of land in the New Territories: *tso* (祖) and *tong* (堂) land (clans, communal), and private land owned by individuals. *Tso* literally means ancestors. The *tso* and the family *tong* are lineage trusts whereby land is held in common ownership for the benefit of the whole lineage (S. Chan, 2001; B. Wong, 1990). *Tong* usually refers to the joint account of different *fongs*. As in Wang Toi Shan, the first two *fongs* joined together to form a *tong* (clan account) called *Dat Lam Tong* (達琳堂). They have their own account to conduct business, such as buying and selling, so those who are of the two *fongs* will get money if they obtain any profit from that account. There is another type called *Se* (社), a collective which is a joint account owned by all the lineages of the entire village, irrespective of their last name. In Wang Toi Shan, there is a single collective which is known as *Yi Yu Se* (義裕社) and is a joint account owned by all the lineages of Wang Toi Shan (except the third *fong* of the Tang clan). They also engage in the business of buying and selling land. The profits obtained are divided amongst all the members, except those from the third *fong*.

The treatment of land and houses for the Tangs of Wang Toi Shan and the Cheungs of Shan Ha Village is no different from that of other walled villages. Lands from *tso* and *tongs* are decided by the village council whose core committee members are villages chiefs and are all male. These lands are communal property and profits obtained from sale or rental will be distributed to their offspring according to the practice of the village. Some divide the money according to the

household, and some according to head counts. For Shan Ha, it is distributed according to the former, whereas for Wang Toi Shan, it goes to the latter.

	Shan Ha Village	Wang Toi Shan
<b>Items</b>		
<b>Households with their land and properties held by male villagers.</b>	99%	90%
<b>Households with their land and properties held by female villagers (wives and widows included).</b>	Around 1%	Around 10%
<b>No of married daughters living in the village</b>	0	Around 20

Table 3.1 Basic data on the amount of properties controlled by male and female villagers in the two villages with additional data. (ref. also to table 2.1) (Compiled from interviews with the village chiefs)

Use of houses in both villages is a little different, since one is open for sale and the other is closed to outsiders. The use of houses in Wang Toi Shan can be roughly divided into three types: those for self-use, those for rent and those for sale. Usually, those houses built or renovated on the ancestor's land will not be sold. An example of this is the house where I lived for my fieldwork in Wang Toi Shan.. The original house had been converted into a 700 sq. foot small house and then split into two for the purpose of renting. Thus, I was actually living in a 350 sq. foot unit. In Wang Toi Shan many of the flats have been rented to South Asian and African immigrants as they work in the nearby warehouses.

As with some of the villagers in Wang Toi Shan, Cheung A (pseudonym), another native of Shan Ha who has a Chinese takeaway in the Netherlands, has also used his '*ding*' rights to build his house. Unlike brother Kong (nickname), a 54 year-old overseas Chinese living in England, who has attempted to preserve the traditional grey-brick exterior, Cheung built a small but modern and solid house so that he and his wife could live there when they come back. This is especially convenient for his wife who splits her time between Hong Kong and the Netherlands.



Figure 3.2 Houses in ruins in Shan Ha village

The SHP does not facilitate or encourage the changes made by the 1994 ruling. While the 1994 change of law allowed female indigenous villagers to inherit land and properties from their parents, should they die without a will, the SHP serves

the ironic function of incapacitating those who are entitled to inherit; or at the very least, impedes the women in inheriting land and property. In other words, in spite of the fact that women are legally justified in claiming their rights, in reality, there is a disjuncture between law and practice for reasons of practicality. In addition to this, village customs effectively prevent members of the community from exercising their rights.

In Shan Ha, which is still closed to outside purchase, the situation is more restrictive because of the influence of the village customs. As the village's land and properties are not open for the sale of land to outsiders, for the sake of keeping the village intact and to avoid arguments and outside influence, it remains impossible for women to hold any properties. In keeping with Toungara's (2001) observation, in her study of Cote d'Ivoire, changes in family law did not have the desired effect of improving women's social position. This is because most women's lives continued to operate under the customary laws, remaining, therefore, outside the ambit of the state-sponsored family code. As a result, even though the law protects women from being mistreated, it does not guarantee this if the clans decide to work outside the law. As Agarwal (1989: 77) succinctly points out, "[w]hat is noteworthy is that even in communities which traditionally recognized women's inheritance rights in land, the recognition was not unconditional but was linked to certain specified rules of post-marital residence which would have served as a means of ensuring that the land remained within the control of the extended family". Married-out daughters are not allowed to live in the village and that is why direct inheritance of land and properties within the village is almost impossible. I have talked to Cheung Chi-ming, one of the village chiefs of Shan Ha village. He told me that they would not let someone who is not one of the Cheungs move in because they want to maintain the kinship and purity



of the village. In this case, we see the rift between what Agarwal (1994) terms 'legally recognized' and 'socially recognized' claims. Even though women are legally recognized as having the right to claim their parents' properties, these claims are not socially recognized because the village's practice does not accept that married-out daughters may live in the village.

The fourth *fong* of the Cheungs who settled in Lam Hau village, a multi-lineage village just next to Shan Ha, said that even now a woman is not allowed to inherit land if her parents pass their lot on to her, and she will still need the village council's approval. Buxbaum (1978:218) rightly points out "[L]egal change, however, does not automatically bring about social change, particularly in a modern society". Unfortunately, this observation does not only apply to pre-modern times. In the 21<sup>st</sup> century, this rule still holds firm in some of the villages, largely because customary practice is valued more highly than the law in a rural society. Furthermore, not many people would dare challenge this for fear of reprisal being ostracized; or worse, being cut off from the kin (Agarwal, 1994; Moor, 1996; Nishimura, 1998).

What happened in the post-colonial walled villages therefore suggests a peculiar contradiction of the colonial vestiges and local customary practice. The change of legal rights for indigenous women which allows equal inheritance opportunities and rights overturns the century-old customary law took place at the end of the colonial period. Yet, the old colonial policy of SHP is still in force. This could be one factor that obstructs the women from fully exercising their rights. At the same time, for villages like Shan Ha which still preserve strong patrilineal customs, women's rights may not be able to be exercised, despite the legal change in force during the colonial period. The legal rights become inaccessible or at least, the

options are limited for the parents to pass their properties and land to their daughters. Even in Wang Toi Shan, a village that has opened up to outsiders, villagers still prefer to pass their properties and especially land to their sons over their daughters. But because of the movement, some villagers in Wang Toi Shan who had heard of the law and had a single daughter had also indicated that they felt safe now to pass their properties to their daughter without worry about village interference.

### ***The impact of the legal change on the women of the walled villages***

In both Wang Toi Shan and Shan Ha village, legal change has not had much impact on the two villages. No case has been filed by any women from both Wang Toi Shan and Shan Ha in claiming for properties or land. And when I talked to the villagers, the new law is not as well-known as the SHP to them. Of the 32 village women among the 60 villagers I spoke to, women who were over 50 years old, or who were younger than 30, had no idea that the law existed. The only one over 50 who said she knew of it was Fong Yuk-mei, the vice-chairwoman of the Yuen Long women's association, who is originally from the city. The older women still clung to the idea that men are the natural heirs of the land and properties of the deceased. But the younger generation, between 20 and 40 years of age, unanimously think that women should have equal inheritance rights with men. Thus, even though the younger ones had never heard of the law, when I told them of its existence, they thought the new law was good in that now they are entitled to inherit their parents' property, without the village's interference. For example, some like Kate Cheung had no idea that there was the law of equal inheritance but when she heard that she answered affirmatively that this was something the women should have. Women who witnessed the movement lauded the audacity of the women activists in fighting

against the walled village men. “They were really brave,” said Jessie Tang (pseudonym). “Those men went crazy when they stood up against them. The women did us a big service”. As for the men, when I mentioned the change of law to them, they were not particularly comfortable. One man from Shan Ha village, Tony Cheung, even told me that the 1994 law had been revoked by Lau Wong-fat (which is untrue). I had no idea whether he was in denial or merely ignorant about the fact. Of course, there are some men, like Chris Tang, who believe that changing the law is a good thing. “The world is changing,” says Tang. “There is no way of turning back the clock. Yet, if the women of the new generation have no idea about this law which protects them, how can they be protected? Education is probably the only way to raise the women’s awareness of their own rights”.

Even though the new NTL(E)O represents a milestone for walled village women in terms of inheritance rights, in reality it does not necessarily guarantee them the equality that the law should grant them in principle. As Jones (2004) states, women could still be excluded from land inheritance by means of a will. This is understandable. The influence of the patriarchs, the elders and village chiefs, coupled with long-held belief in patrilineage, could still be exerted by family tradition and practice, meaning that women’s rights are only partially protected. Even with a will detailing equal division of the properties, such equal division may not be carried out when it is actually implemented in a family. And even if a family is ready to divide the properties up and give it to the daughters, the practice and customs of the village may prevent the father or mother from doing so.

In Shan Ha village, since the village custom does not allow married-out daughters to live within the village compound, daughters will therefore find it

difficult to inherit any of the land or properties built within its confines. There is only one way to achieve this; the parents must sell the properties to their close relatives (male), then cash out and give the money to their daughters. Such a scenario was experienced by one of my informants, Cheung S (pseudonym). Mr. Cheung returned to Shan Ha village to renovate his house in 2008. He is a villager who strongly supports the opening up of the village. He thinks that if the village is not opened, it will inevitably continue to have many wasted and ruined houses because no one wants to renovate a house in which nobody is permitted to live. This, he argues, is because the only prospective owners or tenants are outsiders. It turns out that his story has more to say about the saga. His tale speaks of how a bona-fide villager is being constrained and stymied by village customs, and worse, by the government's policy – manifested in him not being able to produce a recognized ticket for the continuation of his line – a son. Cheung has three daughters. According to village custom, if he dies, the only thing his three daughters can do is to sell the land, and the house, to a male villager. Or, if the daughters get married, it must be left empty for the daughters to return – but only for vacation. As married daughters, they would not be allowed to live permanently in the village. Thus, if the village is not open, his daughters can never own the house. To him, it is better to sell it and give the money to the daughters. He is frustrated over the SHP because it allows only males to erect a house. If a household has no son only daughters, even if the father wishes to give each daughter a house, it is impossible for him to do so because they have no 'ding' rights; in other words, no rights at all. They have no freedom, no choice in doing what they want, even with their own property. Fathers who wish to give daughters of their properties are hoping that the village could soon be open so that they can have more flexibility in giving their daughters their inheritance.

Some parents, however, would persuade their daughters to give up some of the money to their brother because he is the only bloodline and will be expected to look after the widow when she grows old. In the case of Cheung Fung-ning, for example, Cheung's father died and according to her father's will, there should have been a 50/50 share between the mother and the four siblings so that 50% should go to the mother, and the remaining 50% be divided among the four children. In reality, however, Cheung's mother kept one house, her brother built one, and then her mother kept some of the movable assets. A large portion of the money went to Cheung's brother, who was currently in the UK and at that time wanted to start a business there. The rest of them each got only a few thousand dollars.

I asked if any of them had complained about this settlement and Cheung confirmed that they had not. "Nobody would argue. My mum made the decision and that's final. Even if we know it's unfair". The case exemplifies an ugly truth. Unless the family is willing to settle the case in court or realizes that there is the NTL(E)O protecting women's rights, there is no way that the law can be put into effect to protect the women's interests. In most cases women prefer not to risk damaging a family's harmony by going to court. I also asked a few women villagers in Shan Ha and Wang Toi Shan about their view on choosing between family harmony and fighting for their rights on properties, they all conceded that unless there is no choice like they needed those properties for survival, otherwise they did not want to risk going to the court and destroying the family harmony. The reason is that women who are daughters of their villages know that they will marry out and their lives are tied with their husbands rather than their natal village.

The above example demonstrates how it may not in fact be possible to put the law into effect. Very often, walled village women may not be able to receive the share to which they are entitled because of village tradition and practice, even though legally they are entitled to receive inheritance. Village women may sacrifice their share to keep everybody else happy, especially when one of the parents is still alive and tells the daughters to keep silent. As Buxbaum (1978: 218) rightly points out “[L]egal change, however, does not automatically bring about social change, particularly in a modern society”. In the 21<sup>st</sup> century, this rule still holds firm in many rural villages like Shan Ha, largely because customary practice is valued more highly than the law in a rural society.

In Wang Toi Shan, the open village which allows married or unmarried daughters to rent or buy a house to live there, legal change that allows indigenous women’s rightful inheritance could be stalled because of the existing SHP policy that allows only males to erect a house on the land. May Tang, a 51 year-old native of Wang Toi Shan, who has been living in Ireland for approximately two decades, gave up her rightful inheritance simply because she could not build the house on the piece of land that her father gave her before he died. Because of the SHP policy, as a female, she did not have the ‘*ding*’ rights, therefore she could not build a house on the piece of land that her father intended to give her. She was really pleased because her father was very fair and her brothers supported her father’s action. Even though this event happened in 1996, two years after the passing of the equal inheritance law, it failed to allow May the freedom to exercise her right. At the end she gave up her piece of land to her brother. “It is just too much trouble to build on a house on the piece of land my father gave me. I don’t want to just buy the ‘*ding*’ right for the sake of building a house. Besides, I don’t live in this village.” She could not be bothered

since she does not return to Hong Kong often as her residence is in Ireland. Her example may suggest that very often parents' choice of passing inheritance to the male and female is based upon their discretion. But to further facilitate and secure the women's interests, policy may need to change. Furthermore, women in their natal village may not be too concerned about their properties if they were married out since their livelihood is no longer anchored to the natal village. And as she said, it would be nice for her to have a place in her village because she can stay close to her natal family. But this is not something vitally important as she is also very close to her husband's family. May Tang's case may show that to some women, inheriting the properties or not may not be their prime concern since they relate themselves to their husband's families. This could also explain women in the walled villages are not very concerned about fighting for their own inheritance rights.

Young female villagers in Wang Toi Shan think that even though tradition is something difficult to change overnight, having a law to protect women is important as a statutory. Ivy Tang, a 29-year-old Wang Toi Shan native said that even though her parents liked her and had indicated before that when they died, all their properties would be divided equally among the siblings, she was still concerned that conflicts might arise when it involved vested interest. To have a law that protects walled village women and know about this, to her, is reassuring. There were a few of my female informants who told me that their husbands and they themselves were preparing the wills to make sure of an equal share of their properties. This therefore seems to suggest that changes in recognizing the equal rights of both sons and daughters are already taking place.

In general, the open village of Wang Toi Shan, where anyone can buy land or houses from the indigenous villagers, allows flexibility in terms of both of buying and of living in their own place, in their own village. Of the villagers I talked to in Wang Toi Shan, there were at least five families who have already built their houses for their daughter's use. Some, like Tang Ka-ming (pseudonym) who lived in England, has built a house in Wang Toi Shan for her daughter's family to reside. Another example is provided by Ah Hing (pseudonym), a 54-year-old woman who is a native of Wang Toi Shan, and has married a Hong Kong resident. The husband has moved into the village and they have bought their own house. Even though Ah Hing's father has given the land and property to her brother, Ah Hing can stay close to the family. Ah Hing's brother, who inherited his father's property, is now living with his son and also his married daughter's family (with his son-in-law and his maternal grandchild). I asked Ah Hing's brother's wife if it is acceptable to him for the married daughter to live in the village with them since a lot of villages do not allow daughters to live in their own village. She said it is definitely acceptable with evident excitement in talking about her daughter's family. She said this indeed gives them joy as the house is too big and too lonely for just the couple and their unmarried son to live in. Their house is a typical small house of 700 sq.feet with three storeys. Thus, she contends, now that it is the 21<sup>st</sup> century, she is very happy to have her grandchild around so that she can see the baby every day.

The different choices different generations made suggest that individual choices are a result of a nexus of factors. The data from the two villages suggested that the legal change may not have direct implications to the decisions one made. The intersections of gender, kinship ties, generations which expose to different influences outside affect individual's decisions in staying or leaving the villages; in



how they decide on their properties' fate. The study of K.S. Chan (2012) and S. Chan (1997), women's inheritance rights are situational and still subject to negotiations. In S. Chan's article, she assumes the practice of benevolent patriarchy which means that inheritance issues are subject to discrepancies of the male elderlies or village chiefs in the village. In K.S. Chan's article, he mentions about how properties inheritance by women are restricted to land and cash but not properties to allow the perpetuation of the lineage community. From the data of the two villages, it seems that inheritance practices are still generally patrilineal but we do see discrepancies based on the customary practice of individual village. For example, in Shan Ha, there will be a problem in passing a property to a daughter because of being a close village whereas in Wang Toi Shan such problem does not exist because it is open to outsiders. The results suggest that individual choices are very often determined by a dynamic intersection process of generational differences, class, gender and the social structure such as kinship system in the village. The idea of benevolent patriarchy suggested by S. Chan or the negotiation process suggested by K.S. Chan proves that the law itself is more a statutory rather than the modus operandi of the inheritance practice of the walled villages in the post-colonial era.

***The changing meaning and value of land to indigenous women in the post-colonial era in the local communities – the intersections of generations, gender and social structure***

In both Wang Toi Shan and Shan Ha village, the changing meaning and value of land to indigenous women in both villages looks rather complex in the post-colonial period. The decision of remaining in or migrating out of the village is as much directly related to the customary practice as to personal preference. More importantly,

it relates more to the blurring of the rural/urban divide and the increasing education and job opportunities for women that set the villagers apart in terms of decision-making. Older generation women who moved out of the villages to the cities or overseas mainly did so because of marriage. The younger generation however, moved out because land to them is no longer the only source of material livelihood. Urbanization and commodification of the villages has altered the nature of the relationship between land and walled villagers. Changing meaning and value of land affects as much the men as the women across different generations. Gender cannot be omitted from the analysis in the changing meaning and value of land after the passing of the law. The out-migration, as well as the demographics in the two villages, is an indicator of the gendered land policy. The changing value of land has benefitted men financially. More men tend to remain in the village because they can get a house built for themselves. As for a walled village woman, even if she marries a walled village man, she would be living at the mercy of men's discretion on sharing the profits of the commodification of land and properties in the two villages, based on the customary practices of the village. Men, whether young and old, are entitled to the inheritance of land and properties, under the auspices of the patrilineal practice and the SHP. Young men therefore, have a greater incentive to stay in the village even after they marry, because they can conveniently have a house to live in in the villages. Young walled village women find it easier to leave the village since no strings are attached to their natal village because they cannot build a family of their own in their natal village like in Shan Ha, nor do they have any possibility of reaping profits, as the walled village men do.

The exodus in both Wang Toi Shan and Shan Ha village exemplifies how diverse views and practices among villagers are caused by the intersections of sex,

generation difference, and the changes in social structure and social identity. In the discussion of intersectionality by Crenshaw (1991a, 1991b), she argues how distinct forms of oppression originate from the intersections of colour and gender. The multi-positioning of women because of diverse background, generation and class could also bring up the differences in terms of the treatment they receive (Phoenix and Pattynama, 2006). In the two villages, younger women, whether they receive better education or not, are more ready to move out of the village to have a life of their own. For these young women, they have already learnt that the walled villages were just where they were born and raised until they reached marriageable age. The young women I talked to explained to me that village life to them is stifling, old-fashioned and more importantly, the village is not where their lives are: their work, their friends and their future are instead in the city or overseas. Most of the younger generation villages these days have myriad opportunities to work and study in the city or abroad. In both Wang Toi Shan and Shan Ha, almost all the young women I talked to expressed their disinterest over village affairs. More importantly, the urbanization and commodification of the village had drastically reduced activities tied to the land. Agricultural practice had long gone in Wang Toi Shan and only minimal agricultural land can still be found in Shan Ha village. However, with more younger generation villagers, especially women receiving better education, they opt for a life that is comparable to their education and a job that is considered admirable. To the villagers, be they old or young, working in the city is considered far more respectable than staying in the village and working in the farm or doing manual labour in the market. To the young women, land which meant nothing to them in their natal village or may remotely relate to them should they marry a walled villager, becomes even less relevant with better and greater opportunities in the city and possible marriage with non-walled villagers. In the post-colonial era, when Hong

Kong is merged with China, the positioning of an individual is even more complex. With more opportunities open in the urban area and working in China, younger women who are ready who take on the challenges that have arisen from the myriad opportunities are experiencing something the older generation women may lack in terms of opportunities. In the study by a post-colonial feminist who rejected the assumption of homogeneous categorization (Mohanty 2003a, 2003b, 2003c), the ethnographic data in the village suggests that even within a group of women from the same area or same ethnic origin, their encounter could not be easily generalised because of what colonialism has brought upon the community and the socio-economic changes induced by the post-colonial situation.

This is exemplified by Cheung Luk-see (pseudonym), a 30-year-old Public Relations executive originally from Shan Ha village, who told me that she would not be happy to just stay in the village like any of the older generation village women. She had moved out as soon as she landed a job upon graduation. When I asked her about how she felt as a walled village woman, she told me she did not see any difference between her and those living in the city, and her father also allowed her to learn and exposed her to as many things as he could, like any other children of her age when she was young. She had piano lessons and achieved Grade eight. Her father, though a walled villager, took her to piano recital and orchestra performance even though he did not play any instruments himself or was particularly interested in music. She went on to do a degree in Communication at the Chinese University of Hong Kong, one of the most prestigious universities in Hong Kong. She quickly landed a job in Public Relations and travelled to Shanghai and other places in Asia because of her job. To her, this was the biggest opportunity in her life. Therefore, when I asked her how she felt about land and properties and the new law that would

help protect women from being deprived of their rightful ownership, she was stunned and was silent for a few seconds before giving me her answer. She admitted that to her, properties and land were never something she cared about because she thought she had so many things outside the village that were more precious than the land and properties and the money that could be generated. She believed that this inheritance would be relevant for those people who are not very well-educated like the older generation of villagers and those who did not put their effort into work and study and had to rely on these things for easy money. To her and her young female relatives in the village, they would see life in the city and overseas as more attractive than possessing a piece of land and being tied to the land forever with a life bound in the village.

In Wang Toi Shan, Ar Kei (pseudonym), a 20- year-old girl who worked as a saleslady for a cosmetic brand, had moved out of Wang Toi Shan to another part of the New Territories, for convenience of work. She had a good relationship with her two sisters and her mother, who had left her husband a few years ago. She did not want to stay in the village because she did not like the way the villagers behaved. She was hoping that she could continue to study beauty in beauty institutes after she had failed in the public examination. Her mother, who worked as a cleaner, wanted to support her but was financially strained. Her father, who believed to have a “King’s destiny”, was unable to support her since he did not work, a typical trait found in a lot of men remaining in the village. Ar Kei resented the whole situation. She would rather move and lived in a small room where she could be independent and had her own life. She was tired of the family problems and the village’s customs that she believed to be old-fashioned and chauvinistic. She could not see where her place is, despite her mother’s love to her and her sisters, she believed that there was a

life out there for herself because the village was never a place for a woman. The changing meaning and value of land meant nothing to her because she is a female and she was quite sure that she would not marry someone from the walled village, “someone who is like my father”, as she phrased it to me

In Yan Yunxiang’s (2006) article about the new generation Chinese women, he explores how they are assuming an active role to redefine intergenerational power relations and other private life, like their marriage decisions. He points out that younger generation Chinese women are affected by labour migration, changing practice of courtship and the influence of media. Younger generation women are now making their own decisions in a number of private issues, as well as in some of the familial issues. The findings by Yan reflect the changing gender dynamics in the two walled villages where I conducted my fieldwork. The younger generation women like Cheung Luk-see and Ar kei have shown that they are assuming an active role in mapping their future. Like the young generation Chinese women who are “closely tied with the market through raising cash crop, household sideline business, labor migration and the impact of the mass media and urban consumerism (p.107), these young generation walled village women are more affected by media, their exposure to urban way of living. The impact of the legal change to them is very minimal as a number of them have no knowledge about its existence.

For the older generation who have moved out, the village is where their alternative residence is. 52-year-old Tang Chi-tak from Wang Toi Shan just returned from London, having moved away from when she married an overseas Chinese who also lived in the same village as her (Her husband has a different surname but is a walled villager). Two years ago, they returned to Wang Toi Shan, to plan for their

annual visit. Most important of all, they were trying to submit their application to build a house through her husband. The reason was not so much due to their return, but rather, for her daughter's and her son's since they were planning to return to Hong Kong for work. As the economy in England had been undergoing a downturn, Tang Chi-tak and her children were worried that once they graduated they may not be able to get a job in England. On top of that, her children wanted to explore a new opportunity in Asia and it is easier to have a house in Hong Kong so that they could save the money on rental. After all, rent in Hong Kong is exorbitant. To have property or their parents' properties for living is like a gift from heaven. And because of the husband's status as a walled villager, the children also benefit, and eventually, the son would also be able to build a house of his own, in the village, if he so wished. 52-year-old Tang Chi-tak, however, did not care about whatever '*ding*' right is. Her home, as she said, was elsewhere, in London, a place where she has been settled for ten years and where her husband and his family belong. Despite being a walled villager, she has never felt home in her natal village. She learnt at a tender age that she would eventually marry out and her home would never be in her natal village but in England where her husband and his family have been solidly rooted.

Another married-out daughter who has migrated to Australia, Maria Cheung (pseudonym) of the Shan Ha village told me that she was still concerned about Shan Ha because her cousins and her natal family members were still there. I met her when I was traveling with the Shan Ha villagers to China for their tombsweeping. She returned from Australia to join the event as other overseas migrants of Shan Ha also went back to meet their cousins and relatives. She brought along her affine, Jenny Choi (pseudonym), who was the wife of her brother-in-law. She told me that

she was very close with her affines because that was the family she was supposed to be associated with. Since the land and properties in Shan Ha was not be her business since she had already married out and could not live in the village, she did not mind what they did with the money and distribution of land. She was, however, very concerned about her husband's family because that was what she was attached to as a married-in member. However, her residence in Australia meant that the properties and land in Hong Kong would just be an extra asset rather than an important means of livelihood since her important source of livelihood remained in Sydney – i.e. her restaurant and her house. These older generation women who have migrated to other parts of the world have found their natal village more like a distant, second home. They are still connected to their natal villages because those are their birthplaces. Yet they also realize that this is not where they belong once they are married out. They belong to where their husbands belong.

For the older generation villagers who remained, or who have married in and stayed in the two villages, women's material as well as social livelihood is, however, tied with the land. The agricultural economy in Shan Ha in the past, for example, required manual labour working in the field and at times, taking the produce to the nearby markets for sale. Women in the two villages became important assets in the agricultural economy and their jobs were also mainly working in the farm or for those over 70, they would either work in the farm or look after their grandchildren. Land therefore is still valued a lot and even now, when land and properties like houses serve more as a means of monetary transaction, it is as important to them as it was before. It provides an alternative and an easier way for livelihood and therefore, like in Wang Toi Shan, villagers, both men and women, place a lot of value on land and properties because that is where they can make lucrative profits, particularly for



those who are not very well-educated and who rely on this as a quick way of earning money. In Shan Ha village, the changing value of land has impacted the village less as the village still closed itself from having outsiders moving in. However, this may change with the village council in Shan Ha recently agreeing that they would open the village for rent or sale to outsiders. So far, no one dares to take the first step but it could change soon when there is one who is willing to take the lead.

For those women who have married into the two villages and remain in the village they are generally very concerned about land and properties as men since those who marry in feels that their future is tied to the amount of money generated from the selling of land or renting or selling their husband's properties. The changing meaning and value of land also changes the dynamics of families and the relationship between husbands and wives. While undertaking fieldwork I heard of cases where women succumbed to their husband's extra-marital affairs simply because they did not want their sons to be cut off from receiving land and properties from their husbands. They also conceded to the children borne out-of-wedlock being allowed to enter the ancestral hall and become one of the family members simply because they could get an extra share of money if the land was sold to a property developer or to the government. Like the recent case in Wang Toi Shan when some of the ancestor's land was sold for building the express rail to China, a lot of children who were born out of wedlock came from China and were admitted as family members because strategically it helped the family to gain an extra share of money, to be put in the family's account. The mistress, of course, would not appear in this case. The wives in the village, would sacrifice their integrity for the sake of family wealth. Of course in some cases, the lucrative profit brought about by the selling and renting of land and properties also caused the disintegration of families. As soon as I

moved into the village, women in the village asked me if I knew that Wang Toi Shan was also known as the “second wives’ village” since a lot of men had second wives or mistresses in China. I heard of numerous cases where walled village men who were wealthy enough would usually take a second or even a third wife. Some of the women were so angry that they left their husbands and others would suffer for the sake of their own children. In one family I encountered, the mother had been beaten for refusing to have sex with her husband because he was having a lot of affairs outside because of the profits it brought from selling and renting properties and land. Crushed, the wife refused to sleep with him. To punish her insubordination, he slapped and kicked her and pushed her to the window so that she knocked herself unconscious on one occasion. She refused to divorce or to report him to the police because she was worried that her children may lose all the benefit, the money, the house, the tuition fee. One can see from stories such as these that the land policy that resulted in the changing meaning and value of land is gendered in itself not only because of its nature, but also its indirect impact inflicted upon the walled village women.

### ***Conclusion***

Land, a word in Hong Kong synonymous with wealth and power, is also the source of conflicts and problems for the walled villages. As I have illustrated throughout this chapter, the changing meaning of land, coupled with the statutory policy that guarantees men preferential treatment in the building of their houses ironically contradicts the new, progressive law that ensures indigenous women’s rights of inheritance. Chan Kwok-shing (2012), in his study of Pang village, found that women continue to need to ‘secure’ their ownership through adopting a son. They

are still not guaranteed any inheritance without a male heir<sup>41</sup>. Like Margery Wolf (1972)'s discussion of the uterine family in 70s rural Taiwan, where women tried to cultivate a strong emotional bond with their sons to secure dominance and livelihood in the family, we witness how women, even now, secure their inheritance by adopting a son because of the deep-rooted tradition of patrilineage where it is only through males that inheritance rights can be firmly secured.

The practice of patrilineage and patrilocal residence has long been adopted by the walled villages in Hong Kong. This practice continued with the arrival of the British colonial government. With the promise of keeping the status quo and allowing the customary law to override the British common law when it came to walled village affairs, the British government secured the position of the rural patriarchs as the spokesmen and the ruling elite in the walled villages. Whether walled village women's voices will be heard or not is subject to the approval of the male walled villagers as 'indigenous inhabitant' voices are represented by those male ruling elites.

With the introduction of the SHP, women were further reduced to nonentities. The definition of indigenous inhabitants has failed to include women because of 'traditional' patrilineage and patrilocal practice. To the villagers from the two villages, almost all the male villagers I talked to believe that the SHP is a rightful policy for them because they are the 'indigenous inhabitants' (*jyun4geoi1man4* 原居民). It has been their tradition and to preserve the rights of keeping the land and enjoying the policy. Walled village men and women especially have been affected

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<sup>41</sup> See K.S Chan (2012) and S.K. Cheung (2009)

by the changing meaning and value of land. The effects varied from men to women, across generations. The impact is profound. The gendered land policy on the indigenous inhabitants strengthens traditional patrilineal practice and indirectly alters the meaning and value of land in the two villages, which favours males to continue dominating the general political, social and gender dynamics of the village. Walled village women from different generations with different experiences received the changing meaning and value of land with varying responses. Some like the young generation female villagers resist, or simply leave the villages as they believe this is not where they want to be. Older women who already left may see it with disinterest. Those who remain in the village are finding ways to cope with the effects imposed upon them with the changing meaning and value of land, a result of the changes inside the walled villages because of commodification and the gradual blurring of rural/urban divide and also a consequence of the tension between the local customary practice and the vestiges of the colonial legacy. The change of the inheritance law, born out of the strenuous efforts of the women activists and legislators, was an attempt to ratify long- outdated discriminatory practice, and has proved to be an important but unknown statutory to the walled villagers in the two villages I worked on. The reason was that this law had never been well-received among the walled villages. As I argue, it was more a product of complex deliberation among different interest groups and an atmosphere in the Hong Kong urban community that favours a policy of gender equality, rather than the will of the walled villagers to eradicate this century-old practice.

## **Chapter 4**

### **Intersectionality of gender and different parties' interests in the women's inheritance movement**

#### ***Introduction***

Last chapter, I examined the changing meaning of land and the extent to which the legal change has affected the walled village in terms of gender dynamics and inheritance practice. By walking through the indigenous women's inheritance movement between 1992 and 1994 in Chapter 3, I tried to explore how the movement is a result of the existing colonial policy to the indigenous inhabitants, the patrilineal custom and the changing meaning of land in the New Territories. The movement, which sparked off debates among the wider community in Hong Kong, may not have posed a direct effect upon the changing gender dynamics and the inheritance practice as evidenced from the fieldwork data. It does however serve as an important statutory to protect indigenous women for equal inheritance and a complicated reminder of the complexity of walled villagers' view towards gender equality. The issue remains, however, on the mixed reception towards changing the century-old law and the mounting tension and contradictory interests among the establishment, the village patriarchs, the legislators, the local as well as expatriate women activists, and the walled village women activists who are at the forefront of the campaigns.

During the indigenous women's inheritance movement between 1992 and 1994, the walled women activists, working together with the local as well as expatriate activists, fought hard with the pro-customary law force that include the

village council (Heung Yee Kuk) and legislators who supported it. The battle was one between the conservative forces who want to preserve their vested interests and the progressive force who want to see changes in the walled villages. The core walled village women were more a means rather an end in the legal change. Of the seven most vocal women fighters, only two - Tang Mui (鄧妹) and Tang Pik-to (鄧碧桃) - were able to settle the case, out of court, and bask in the glory of the new NTL(E)O (New Territories Land Exemption Ordinance). In the course of the event, different parties have been gauging their interests and the impacts of the change to them as to the community. The stories of the core village women activists were used as testimonies to expose the gendered nature and discriminatory customary practice in the village.

This chapter examines the interests and dialectics among different parties in the inheritance movement and the extent to which the passing of the new law and the subsequent lack of interest in following up is gendered. In the previous chapter, I discussed the changing meaning of land and the current situation in the walled village. In this chapter, I begin by looking at the different parties involved in the event and their interests in the movement: the colonial government vs. the indigenous elites (the Heung Yee Kuk and those who support the *status quo*) and the indigenous women who support the *status quo*; the indigenous men vs. the seven indigenous women and other walled village women who support changing the inheritance law; the urban women vs the indigenous women in general; the legislators who support the changing of the law and those who are against it. I then proceed to analyse critically the different parties in the movement, in order to understand their interests and motives. Furthermore, this exploration asks why there

is a subsequent lack of interest in pushing the policy further in adhering to the new law, together with their indifference in promoting the law in the walled villages.

***Heung Yee Kuk and the pro-status quo walled villagers***

In R. Watson's (2011) recent article, she addresses the importance of the New Territories' transformation and its effects, as well as the relationship between the indigenous inhabitants and the colonial government. "In the 1980s, new political institutions and a series of massive New Town development projects had altered the cosy relationship that linked colonial officials to New Territories villagers" (R. Watson, 2011: 222). As she continues to describe what happened in the 1980s, her account of the situation suggests that the once 'cosy relationship' has changed following the metamorphosis within the New Territories:

The housing projects, funded by billionaire property developers and managed by Hong Kong officials, were, in the words of James Hayes, (himself a former colonial administrator), 'in the New Territories rather than *for* the New Territories'(R. Watson, 1995: 249), emphasis added). Although some New Territories residents did benefit from these developments, problems of physical as well as social dislocation, together with serious environmental pollution, undermined village lifestyles.

The change in the New Territories has rapidly transformed its face, as well as alarmed the villagers in regard to their vulnerability. No longer enjoying the dependence of the colonial government, the villagers were ready to safeguard their claims. Thus, in the event that any changes could jeopardise the status quo of their special interests in the name of 'indigenous inhabitants', the villagers would respond with strong resistance. R. Watson (2011: 223) also points out that as the Heung Yee Kuk was aware that their 'treasured colonial arrangements were endangered', they

tried to protect their interest by publicizing their status as indigenous inhabitants equivalent to those in New Zealand and North America. The movement threatened their status quo and opened a Pandora's Box in regard to the possibility of further eroding their interest, should the law pass. During my interviews with the villagers, I was told that some of the male villagers and some of the women were informed that their sons' rights would be taken away should the law be passed. Some older women told me that they would not have any homes to live in once the law was passed and were therefore out with the men on the streets to defend their existing rights. Some were actually forced to sign the petition, with some being told by their father to sign it, as in the case of Cheung Mei-yee (pseudonym). To protect their interests, the rural patriarchs, led by the Heung Yee Kuk, launched a major attack on the women's groups, legislators who support changing the law.

*Arguments voiced against changing the NTL(E)O*

The major arguments used by the Heung Yee Kuk are twofold:

- a) Succession through the male line was the intention of the ancestors. Changing the law would lead to the extermination of clan culture (滅族) (*Hong Kong Hansard*, 1994).
- b) Cultural pluralism should be given a place in a democratic and free society. Respect for, and protection of, minorities, social structures, cultural traditions and customs are internationally accepted codes of legislative standards. The minority's slogan should not be discarded under the slogan of sexual equality.



The arguments are used to remind the government and the Hong Kong community that the indigenous inhabitants are different from the Hong Kong community because of their distinct culture. They are also using international human rights language in protecting indigenous inhabitants to justify their special rights in having their own sets of practices. In fact, during my interviews with the patriarchs when conducting fieldwork in the two walled villages, the men, especially those who are in their 40s or above and were involved in the movement told me about their arguments which were not recorded in the Hong Kong Hansard, the minutes of the Legislative Council meeting. They were agitated when I discussed with them about the 1992-1994 movement. The reason for their apparent frustration over the event is that they believed that the colonial government actually sold them out. They were angry because they thought the government was using the 1992-1994 movement as an opportunity to “interfere” with the village business. Some even told me that the government was trying to get ready to remove the SHP and other rights that they are supposed to enjoy as indigenous inhabitants.

During the course of the lantern lighting ceremony, one of the male villagers in Shan Ha village told me about the male villagers’ anger over the event. They believed that the women in the villages actually did not support the movement’s claim on inheritance. That believed it was more because of those “women legislators” who stirred up troubles. In Wang Toi Shan, a few of the village chiefs at that time were involved in the event and they firmly believed that it was the government and a few “selfish women” who tried to threaten the walled villages’ long tradition and customs, especially the rights they are entitled to enjoy as indigenous inhabitants.

Despite claims by the rural patriarchs, their reasoning against changing the law in favour of the women was, as scholars and activists argue, not actually aiming to preserve customs and tradition, but more to retain their privileges (Jones, 2004; Loh, 2006; Loh interview 2009; Linda Wong interview, 2009). Their consideration is particularly gender biased, intended to retain male dominance and interests in the village. They were afraid of losing their privileges should they allow female to be able to inherit as well. Some villagers also told me that they were worried that women would become dominant and would not listen and obey to them, with interests being equally shared among both male and female walled villagers. To the groups like the expats and women's groups, they would believe that such view are old-fashioned and discriminatory. They believed that the movement provided a chance for them to eradicate such unequal practice in Hong Kong.

### ***Expats and the women's groups***

Expats and the women's groups have wanted to change the situation of the walled village women for some time. According to Merry and Stern (2005, 2006), expatriates played a critical role in bringing the female inheritance issue to prominence and framing it in the right terms. Expatriates mostly academics and lawyers, some of whom even dealt with international law professionally were eager to see the eradication of the unequal NTO that barred indigenous women from inheriting properties. Players like the Hong Kong Council of Women stated that "male-only-inheritance 'should have been declared' unlawful long ago, as [it is] contrary to Article 26 of ICCPR' and is 'in conflict with the principle of equality between sexes contained in the internationally accepted Declaration of Elimination of Discrimination against Women'" (Merry and Stern 2005).

Like the expats, the local women's groups also wanted to see the unequal law revoked. In fact, they had been lobbying for the abolition of discriminatory provisions in the NTO for a decade (Tong, 1999: 54). In 1990, when the Hong Kong government was drafting the Bill of Rights, two local feminist groups, the Association for the Advancement of Feminism (AAF) and the Hong Kong Women Christian Council (HKWCC) petitioned the government and the Basic Law Drafting Committee to reform the NTO, and to grant women equal inheritance rights in the New Territories (AAF 1994: 13 in P.W. Wong, 2000). Similar to the expats' argument, the local women's groups also pointed out that male-only inheritance in the New Territories "violated Article 26 of the International Covenant on Civil and Political Rights" (Tong, 1999: 54).

According to Linda Wong during our interview, the local women's groups had been trying to look into the inheritance issues as early as the 1980s because they realized that indigenous women were deprived of their inheritance rights and very often subject to the discretion or victimization of the local patriarchs and the male relatives. They could not do much at that point because there were no particular women from the walled villages to work with them. While campaigning with the seven walled village women, Linda Wong told me that the local women's group at the beginning did not know that they could push for a change in legislation. It was only when they talked to legislators such as Christine Loh that they knew that such change of legislation was possible. They were encouraged by the legislators to use this opportunity to change the century-old law. Linda Wong conceded that she knew it might be difficult to help the seven walled village women to get what they wanted since some of their cases lacked sufficient evidence. She needed to convince them

that even though they might not be able to get what they wanted, their claim would help village women in the future should they have disputes on their claim on properties. For this reason, the seven walled village women activists agreed to frame the issue from a personal stand to a collective agenda that is understandable to the public. As Linda Wong comments, contrary to the claims by the pro status-quo clique, the expats and the women's groups believed that changing the law to allow walled village women was a basic right that walled village women should enjoy.

To the expats and local women's groups, they were concerned about indigenous women's livelihood and well-being. They believe that indigenous women are still living in a very restrictive and very dictatorial environment. Few would have the courage to stand up against men. They also believed that NTO prevented women from inheriting since the courts, the administration, and even the governor of Hong Kong were not able to do anything about it because it overrode the British common law regarding any New Territories issues, especially on land and property inheritance (Tong, 1999:59). Also, the tradition that only the male should have land succession rights was outdated and discriminatory in nature, and such kind of succession law had been repealed in other Chinese societies (P.W. Wong, 2000:192). The expats and local women's group also argued that since the clan-based society has been changed with the commodification of the villages, with villagers already violated the tradition by selling their properties to outsiders, or leased out land for warehouses and container storage (Tong, 1999: P.W.Wong, 2000), it is therefore, impertinent to argue that the new law that guarantees equal inheritance is against the customary practice of the indigenous inhabitants. The arguments posed by the expats and local women's groups have the sympathy and support of most of the democratic

as well as women legislators. However, this issue also caused division amongst the legislators since it involved a lot of personal as well as political parties' interests.

### ***The Legislators***

Legislators were divided on the issue of female inheritance. On one side, there were the democratic legislators like Martin Lee, Yeung Sum, Christine Loh and Anna Wu who were sympathetic towards the walled village women's situation. They took the cause to the legislative council and lobbied for a change in the law. They saw it as an important issue for gender equality and human rights, and as such, pushed forward the amendment. In Loh's view, "[t]he idea of human rights is that we have to protect every individual's basic right. Not to mention that there are 200 indigenous women complaining, even if there were only two of them, we as legislators still have the responsibility of ensuring their equal right before the law" (Merry and Stern, 2005: 389). Like Loh, Wu was also sympathetic to the movement as she was able to relate the issue to the bigger picture of international human rights law, laws that protect every individual in a society<sup>42</sup>. In the LegCo (Legislative Council) meetings, the majority of legislators responded positively to the changing of the law, particularly when they realized that the NTO also applied to the non-indigenous inhabitants who were living in the New Territories (*Hong Kong Hansard*, 13 October 1993).

On the other hand some legislators were concerned about the feisty response of the rural patriarchs, including the Heung Yee Kuk. During my interview with

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<sup>42</sup> Wu, Anna, 1994. Letter to the Members of the Bills Committee Considering the New Territories Land (Exemption Bill). Unpublished Letter. Also LegCo meetings recorded at *Hong Kong Hansard* 13 October 1993, 21 October 1993.

some of the legislators who declined to have their names on record, the Pro-China party (DAB) argued that cultural pluralism should be encouraged and allowed in a community. This was especially the case after the March 22<sup>nd</sup> 1994 standoff when verbal as well as physical clashes occurred outside the LegCo buildings, between villagers who supported the amendment and those who opposed it. Pro-China legislators, such as Peggy Lam, accused the proposed amendment to the law of disregarding the complex situation of the walled villages and claimed it was too hasty<sup>43</sup>. Some may have had their own interests in mind, lest the provocation of the indigenous inhabitants put their position in the LegCo at stake. In my interview with Christine Loh, a strong supporter of changing the inheritance law, she told me that Emily Lau, who also used to strongly support the cause had turned to take the side of the Heung Yee Kuk. Lau was worried about the possibility of a violent attack by the indigenous inhabitants. Also, as Loh pointed out in her book *Being here: Shaping a preferred future*, she could also have been worried about losing her constituency in Shatin of the North New Territories, a constituency that mainly comprised indigenous inhabitants. Towards the end of the movement, and in the LegCo meeting, Lau suggested that there should be a referendum for the indigenous inhabitants of the New Territories only. Her change of mind disappointed some of the legislators who had worked closely with her (*Hong Kong Hansard*, 1994; Loh, 2006).

In fact, a number of legislators began to express great concern over the indigenous inhabitants' inheritance issue when researchers discovered that the NTO could extend to those non-indigenous inhabitants who were living in the New Territories. A number of legislators had set their focus solely on resolving the

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<sup>43</sup> *Hong Kong Hansard*, 22 June 1994

problems faced by the urbanites that had moved to the New Territories. Some of them, like Tam Yiu-chung and Fung King-kee, even dismissed the discussion of the NTO issue on the indigenous inhabitants. Their concern mainly focused on the urbanites that were affected by the inheritance law. Their concern is markedly gendered. And the gendered category is further distinguished by the regional distinction. To them, the indigenous women's situation is less important than that of those urban women who had moved to the New Territories. Those pro-status quo legislators believed that they should resolve the issue through administrative measures or slight changes to the NTO, rather than extending it to the indigenous community. As Tam Yiu-chung said in the LegCo meeting, the most pressing concern was to resolve the NTO that extended to the urban population who inhabited in the new satellite town. The division within the LegCo also revealed the extent of the mixed views on affairs concerning the indigenous inhabitants. This explained why affairs concerning female indigenous inhabitants were ignored. In this matter, the colonial government, who at the beginning tried to avoid getting involved in the indigenous inhabitants' business, had discovered that it needed to make a stand for the issue had become so explosive and well-known to the wider community in Hong Kong that it needed to be handled with care.

### ***The colonial government***

The colonial government tried to adopt a 'non-interventionist' policy because of the sensitivity regarding the property inheritance issue in the New Territories. It has been the government's belief that it is best to try and avoid any confrontation with the indigenous inhabitants. At the beginning of colonial rule, they needed the cooperation of the Heung Yee Kuk so as to avert unnecessary problems like riots in

the New Territories (Lau, 1982; Cheung, 2007). Starting from the 70s, when the government began to launch its plan to develop new towns for the growing urban population, very little thought was given to the indigenous inhabitants in the New Territories. Instead, attention was given to the strategic development of Hong Kong in order to meet the needs of the growing urban population. The so-called ‘non-interventionist’ approach of the government towards the indigenous inhabitants was to work with them to ensure stability while ruling the colony. Therefore, government officials were not eager to change the unequal law. In designing its policy on New Territories, the government has never put women into consideration and with its aims to push forward its own agenda; they took it for granted that the [gendered] actors in the walled villages were the male indigenous inhabitants. In the discussion of postcolonial feminists, as I mentioned earlier in Jayawardena’s (1986) study, she already pointed out how colonial governments would collaborate with the local elites to reaffirm the gendered role, mainly with women being subsumed into a secondary position in the colonial rule or at some point, the colonial government even forgot the importance of the gendered aspect in the colonized world.

It is not an uncommon practice for the British colonial government to often yield to the interests of the elites and the dominant class at the expense of minority interests, especially of women. The 1990s saw the government’s overt defence of the dominant group’s interest, in apparent fear of supporting the extension to Hong Kong of the CEDAW. It was claimed, in the Legislative Council, that this very act would violate the usual ‘non-interventionist’ policy of the colonial government, in the private sector, without consulting the entire community (*Hong Kong Hansard*,



1992). They were worried that such an act would affect the private sector - a sector that used the cheap women's labour to maintain their competitive edge<sup>44</sup>.

P. W. Wong (2000) has pointed, however, to a number of reasons for the increasing governmental responsiveness and its subsequent support of changing the inheritance law in the walled villages. For one thing, the political climate of Hong Kong favoured policies that affected women. While the British colonial government had needed to rely on the Heung Yee Kuk to help govern the New Territories, the progressive urbanization of the New Territories had led to a reduction in this need. The government had other ways to communicate with residents of the New Territories, thus giving them a freer rein in deciding policies and law regarding the New Territories without worrying about the Heung Yee Kuk's reaction.

Furthermore, following the June 4<sup>th</sup> massacre, the Hong Kong government sought to introduce the Bill of Rights (BORO) on June 5<sup>th</sup> 1991, through which, it hoped, the government would allay fears about Hong Kong's future. The BORO does provide protection against discrimination on the basis of sex by the government or public authorities, but discrimination relating to various aspects of 'private relations' is not covered. The government was therefore under pressure to introduce

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<sup>44</sup> Secretary for Constitutional Affairs, in defending the government's inaction towards extending to Hong Kong the CEDAW, cited what the Secretary for Education and Manpower had said previously concerning the Convention, that the government had "serious doubts as to whether it is the best or the most effective instrument in achieving the objective of elimination of all forms of discrimination against women." He also continued, repeating the government's stand, by claiming that the government would need to enact legislation against discrimination applicable to both the public and private sectors. Such legislation "...would involve a high degree of government intervention in the operation of the labour market and give rise to rigidities in employment practices" (*Hong Kong Hansard*, 16 December 1992: 1487).

laws to prevent sex discrimination in the private sector (P.W. Wong, 2000). As soon as the Bill of Rights was passed, legislators began to exert pressure upon the government to extend the CEDAW, which ensured the government would commit itself to extending gender equality to the private sector. This was to be done by imposing anti-discrimination laws and setting up offices to plan and monitor its implementation, as well as an independent body to receive complaints<sup>45</sup>.

A further factor to greatly affect the Hong Kong government's decision to support the amendment of the unequal inheritance law in the walled villages was the 1995 United Nations conference on women, held in Beijing. The Hong Kong government was under immense pressure to introduce a law that allowed indigenous women to have equal inheritance, for fear that they would run counter to their image as champions of democracy and lose face before the international community, should they ignore the issue.

The government's position, which at the beginning was ambiguous, has been pushed to make a stand because of the pressure from the local as well as the international community. All this was the result of the indigenous women activists who brought the issue of unequal law to the media and the community attention.

### ***Indigenous women activists***

The indigenous village women were originally fighting against an injustice undermined their own interests. They did not start off with a feminist cause of

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<sup>45</sup> See also; *Hong Kong Hansard*, 16 December 1992 and 8 December 1993.

overturning the century-old legislation that favoured male villagers. In fact, during interviews, only Tang Mui (real name), one of the indigenous women activists would say that this was something she wanted to do in order to benefit the next generation. Many of the activists do not in fact display a deep understanding of women's rights. As Cheng Lai-sheung (real name) said in her interview, she fought for 'residency, not for ownership'. As she said during her interview, "All I want is equality and to get what I deserve. I am not fighting to take over men's share and men's work. I just want to get my share"<sup>46</sup>.

My observations in this regard are supported by the findings of E.Chan. In her article, "*Jyuh Fohng Neuuh*"<sup>47</sup> Female Inheritance and Affection", E.Chan (1997: 193) cogently points out that the movement, or the women in the movement, "were clearly not submissive village females who accepted without doubt the 'customary rule' of male inheritance; if they were, the movement would never have come into existence. However, they were not clearly 'enlightened' women, inspired only by feminist ideals and human rights". Chan argues that the village women, when fighting for their rights, could not be characterized as fighting against tradition or patriarchal hegemony; rather, they focused more on family ties, the 'affection aspect' in order to justify their " 'unconventional' claim through their manipulation of tradition" (E. Chan 1997: 174). Chan (1997) goes on to cite examples of how the women's narratives, songs, talking about how they were the only remaining members of their immediate family and about the affection between fathers and daughters, meant that they could rightfully make the claims. Furthermore, according to Chan, most of the women in the movement were without siblings and those

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<sup>46</sup> Cheng Lai-sheung, Interview, 17 April 2009.

<sup>47</sup> It means those women who are without siblings.

daughters with brothers were generally not active in the female inheritance movement. Through the establishment of the Anti-Discrimination Female Indigenous Committee<sup>48</sup>, as Chan (1997: 56) observes, “the indigenous inhabitants learned how to translate their kinship grievances into the language of rights and equality”. As Merry and Stern (2006: 200) further point out, those indigenous women who failed to reframe their particular grievances into general stories of violation ‘were silenced’.

In fact, during my interviews with the walled village women activists in Wang Toi Shan who were involved in the movement and with those from other walled villages, they told me that they were following the advice from the local women’s group since they did not have the experience as activists and how to rally and campaign for their cause. Local women’s groups as well as legislators tried to pick stories that could be in line with the main agenda. As mentioned earlier in the section “The Expats and the local women’s group” in this chapter, local women activists group that needed to inform the seven women activists about the possible failure in vindicating for themselves, the five women activists whom I was able to interview also told me that at some point, they learned that they may not be able to get what they wanted from the movement. However, since they knew that the fight would benefit their fellow women walled villagers, they continued cooperating with the local women activists groups and the legislators such as Loh, hoping that they could help in changing the law.

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<sup>48</sup> The Anti-Discrimination Female Indigenous Committee was established in 1993 under the wing of the Hong Kong Federation of Women’s Centres. Initial executive committee members include the seven indigenous women activists.

Changing the law through public lobbying, and at the grassroots level, was a long and arduous process. Such a tactic had rarely succeeded in Hong Kong's history before the 1994 indigenous movement. It took feminists decades to abolish both the *mui tsai*<sup>49</sup> and concubinage systems in Hong Kong. How then, could a relatively small group of illiterate, marginalized women succeed in bringing about change to a law that had been solidly established for a century? And why, if there was such a success in changing the century-old customary law on the legal level would there not be any substantial push for further changes in the mentality of the walled village from the point of view of inheritance, as my data on the two villages revealed?

### ***Gender, Power and Politics - Gendering the inheritance movement***

In understanding the 1992-1994 movement, it is important to examine the issue through a critical gendered lens of the motives and interests promoting the 1994 reform. The discussion cannot be divorced from the analyses of the parties involved, of their interests and motives, and of the questions of power and politics in promoting the movement. Of course, the political climate, as well as external pressure from the legislators and the general public, was favourable towards pushing the government to support the change of the century-old law. The movement, however, would not have been able to succeed without [re]interpretation movement from a marginal issue to the language of common understanding of sex discrimination, one of the core concerns in the international rights agenda (Jones, 2004; Loh, 2004). Such a strategy, as Jones (2004: 6) comments, "immediately opened up the Hong Kong Government to international – not just domestic –

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<sup>49</sup> *Mui-tsai* were young girls sold into domestic servitude (P.W. Wong, 2000).

pressure for change". In the discussion of the indigenous women's inheritance movement, Merry and Stern (2005, 2006) attribute the legal triumph of the inheritance movement to the success in translating the movement, reframing it from the marginal context of a domestic dispute regarding a distinct community to the more understandable gendered context of sex discrimination in a modern society. Merry and Stern (2006) argue that interpreting and framing local custom as a violation of international rights proved to be crucial in defeating the patriarchy, since in the international rights framework, women's rights, in particular of those women who are considered to be a minority and underprivileged, is one of the important agenda items for any international rights discourse.

In the New Territories of Hong Kong, women were denied the right to inherit property under a law passed by the British colonial government and legitimated as ancient Chinese custom. The international human rights language of women's rights and sex discrimination proved critical to overturning this legislation" (Merry and Stern, 2006: 2).

By placing the stories of the walled village women in a broader context of sex discrimination drawing sympathetic attention to the plight of the women, the movement was able to relate their situation to the global context of human rights, especially the area of women's rights. The women's success in overturning the century-old customary law that favoured patrilineage and patrilocal descent is an important landmark in the history of the Hong Kong women's movement. The triumph of the legislation is, in some ways, built upon in what general public would consider as the tragic life stories of the individual village women. Starting with the stories of the walled village women, feminists have developed the indigenous women inheritance rights into an issue more relevant to the Hong Kong community

at large, a concern about a first class city still retaining a sexually discriminatory practice for a century. During our interview, Linda Wong the local activist who helped the indigenous women observed that the way they generalized the women's grievances into a broader sex-discrimination issue was successful. "Suddenly, we received a lot of phone calls from the public asking how they could help. And a lot of them said that they couldn't believe that things as outrageous as this could still happen in 20<sup>th</sup> century Hong Kong, a truly cosmopolitan city where we pride ourselves on how advanced and progressive we are." The experience of the walled village women to some extent resonates the situation of the black women in the discussion of the feminist scholars who study the intersectional experience of the black women.

Scholarly discussion of black women's experience is relevant in the discussion of the 1992-94 movement. Scholars argue that the problem faced by black women is that they are being 'racialized' or 'gendered' and subsumed into a larger category of either 'woman' or 'black', without their own voices being heard. For example, Crenshaw (1991a, 1991b), in her discussion of the black female experience, argues that black females often undergo "double discrimination - the combined effects of practices which discriminate on the basis of race, and on the basis of sex" (1991a: 63). Hooks (1984) points out the 'one-dimensional perspective' of the women's movement in the 70s that focused on white, middle class American women, ignored women of different classes and races (African American women in particular). Women of different class and race were treated as if "[they] did not exist" (Hooks, 1984: 1). As Hooks comments, "*She (Friedan) made her plight and the plight of white women like herself synonymous with a condition affecting all American women. In so doing, she deflected attention away from her classism, her*

*racism, her sexist attitudes towards the masses of American women”* (Ibid.: 2). Patricia Hill Collins, in both *Black Feminist Thoughts* (2000) and *Black Sexual Politics: African Americans, Gender and the New Racism* (2004), contends that it is impossible for black women to be fully empowered in a still socially unjust society. She pushes further in her observation that both black men and black women are affected by racism in ‘gender-specific ways’ (Collins, 2004: 6), arguing that,

Black sexual politics occur at the particular intersection of gender, race and sexuality that African Americans face. But African Americans are not the only ones who grapple with issues of sexual politics. A wide constellation of social groups, for example, White women, Latino men, gay and lesbian, Asian immigrants, wealthy American, older indigenous people, encounter distinctive sexual politics based on their placement in systems of gender, race and sexuality.

In the case of indigenous women in Hong Kong, they are subsumed by urbanites into the category of ‘indigenous inhabitants’. Women in urban areas classify ‘Women’ as ‘urban women’ without addressing the needs of indigenous women or noticing that the indigenous women themselves must be considered as a distinct category. Among the indigenous inhabitants however, walled village women are classified as ‘women’ and are invisible in terms of inheritance, in their contribution to the family and in the official lineage. They were, in short, relegated into non-existence in the political discourse that prevailed prior to 1994.

It can be argued that, when using the concept of intersectionality to analyse the position of the indigenous women, they can be read as oppressed and ignored as a distinct category, being neither ‘indigenous inhabitants’ nor ‘women’ (in the sense of urban women). This was due to the division consolidated by both colonial and



post-colonial powers. The socio-economic and cultural differences were both natural, because of geography, and deliberate because of colonial rule. Not only did geographical distance obstruct the indigenous women and hinder them from becoming connected with their urban counterparts, but the colonial government's so-called 'non-interventionist' policy also consolidated the indigenous villagers in the sense of their own special identity. By allowing rural patriarchs to be the dominant voices in the community in the name of preserving their special status as indigenous women, rather than realizing their interests and concerns were all along being ignored and subsumed, they identified themselves in the general category of 'indigenous inhabitants' without noticing that this would lead to a disregard for their needs and special interests. So, when the urban women were enjoying equality in education and other privileges that resulted from transformations within the city, indigenous women, in a separate system encouraged by the policy of the colonial ruler, sustained with the help of the dual law system and the Small House Policy, became a group that never surfaced before the eyes of the general public. To the indigenous inhabitants, the women were just 'women' who had long been subsumed into the patrilineage tradition and had no voice of their own in the lineage and inheritance. At the same time, urban women could never identify with their rural counterparts because to them, they were never 'woman' like themselves. They are both distinct and distant to them and, as a result, were never 'one of them'.

The 1994 indigenous women's movement provided an invaluable opportunity for a group, which had fallen between the cracks of recognition, to have their situation brought into the limelight. Through the help of women's groups, who encouraged and understood the game of framing the unique, marginalized voices into something that the media could interpret, the issue of the 'irrelevant', "distant" group

became one of relevance to every Hong Kong citizen. Carol Jones (2004: 8) succinctly points this out:

The 1994 NT campaign perhaps also contributed to this wider belief of Hong Kong people in their ability to speak up and effect change. Moreover, whilst government has always claimed that Hong Kong people are only interested in economics, not politics, the movement which culminated in the 1994 reform, demonstrated the willingness of Hong Kongers to stand up for the principles, for a sense of what was right and just.

Garnering public support was significant in securing the passage of legislation. As Loh says, “Public support is important. It can motivate legislators to support the amendment” (Loh interview, 2009). The support of the general public, and the government’s willingness to support the amendment of the law, had also become a local gender equality issue that corresponded to the wider, global concern of women’s rights as an important international focus. Of course, both the local and international media did an immensely powerful job in raising consciousness of the local, as well as the international, community with regard to the seriousness of the violation of women’s rights committed by the Hong Kong government and the Heung Yee Kuk. Women’s groups were able to present the stories of the indigenous women into an international issue of sex discrimination in order for the media to find the news valuable and could report it as a violation of gender equality in such a progressive city as Hong Kong. To gender the movement, which was originally a movement of seven indigenous women fighting for their own interests by enlarging the goal into fighting for gender equality for an oppressed group, catapulted the issue into the limelight and eventually led to its success in the legal realm.

While in general the public supported the cause and some legislators pushed for change in the customary law, there were also urban women who actually believed that the walled village women indeed voluntarily discriminated themselves so there was no need to examine their unequal inheritance status in the law. The long-term ignorance and dismissive attitude of some city dwellers towards the situation of the indigenous women also delayed the recognition of the possibility of fighting for their village counterparts. This can be seen from the naïve remarks made by the one of the senior officials, Mrs. Hung, when responding to demands for a change to the male-only inheritance law. When she was asked by the media about the situation of the indigenous women and how the government could help resolve the issue, she responded by saying that “The New Territories walled-village women voluntarily accept discrimination, so there is no need to change the law for them” (*Ming Pao*, 1993)<sup>50</sup>. Evidently, the general lack of interest in the indigenous inhabitants’ affairs on the part of the urbanites, or intentional avoidance by urban legislators, for fear of infuriating the rural forces led by the village council patriarchs, had failed to push further to eradicate even the Small House Policy, a policy that strengthens male dominance in the walled village community.

Gender issue in Hong Kong during the colonial period has been focusing mainly on women in the urban community, with very little concern for the women in

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<sup>50</sup> *Ming Pao*, August 16, 1993, with the headline 「新界圍村婦女自願接受歧視，故毋須為她們改例。」 Her insensitive remark sparked furor among the walled village women. Within two days of Hung’s comments, the walled village women had collected more than 100 village women’s signatures demanding that the government change the discriminatory custom. On 6 October 1993, representatives of the walled village women went to the Legislative Council to demand that the Hong Kong government amend the law immediately so that women might enjoy the same rights of inheritance as men.

the rural community. For example, the early campaigns against the *mui-tsai* and the concubinage; even when the 1970s marked the onset of broader-based campaigns like 'Against Wife Abuse' and 'War on Rape' they were still focusing on a more general category of women (Lim, 2010). Further diversification of women movements in Hong Kong, with focus on different groups of women based on different ideologies, still failed to target the walled village women. With the preferential treatment bestowed upon the walled villages, the divide between the city and the village is clearly marked. The result is that city dwellers have always considered the villagers to be a special and distinct group and thus, the urban population is not particularly aware of any of the problems or unfair treatment within the villages. The unfair and gendered treatment within the walled villages was easily overlooked and regarded as their 'customs'. The comments of the senior government official reveal the long established schism and disinterest by urban people in Hong Kong. This can also explain why the problem of the indigenous women only surfaced in the 80s when a grassroots women's movement began to take shape (Jones 2004; Tong, 1999; Linda Wong interview, 2009; P.W. Wong, 2000). Both Tong (1999) and P.W. Wong (2000) point out that before 1993, when the movement took place, a local women's group "had actually been lobbying for the abolition of discriminatory provisions in the NTO for a decade" (Tong, 1999: 54). Linda Wong, who was a social worker at the Hong Kong Federation of Women's Centres during the 90s, confirmed that in the 80s, when the local feminist movement began to take shape, they found a way to begin to help the walled village women. Carol Jones (2004: 4) recalls that it was when she was doing her draft of the 1991 UN report that she discovered the land law applied to everyone living in the New Territories, and found it "hard indeed to persuade those in government, the media and other local feminist (groups)... [because] ...since this was customary law (of male inheriting

land and property), it would not be right for government to interfere with Chinese culture”.

The 1992-1994 inheritance movement is the first movement that emerges from the rural walled village community in the history of the Hong Kong's women movement. The movement, which was originally a campaign for a few female indigenous inhabitants to regain their lost properties rather than holding an exalted ideal of overthrowing the historical patrilineal practice, became a full-fledged movement that eventually overturned the century-old law that favoured male inheritance. Even though it was successful on the legal front in changing the unequal law for the female indigenous inhabitants, it was never set out as a woman's movement. Rather, the movement is a complex web of interests intersects with the political concerns of different external groups. Apart from a few legislators and the local, as well as expats women's groups whose interests are clearly to revoke the gender inequality existed in the walled villages, other parties were more concerned with their own interests, especially the impact of the passing of the law to the relationship between them and the rural patriarch who opposed scrapping the old law. For example, the pro-status quo legislators were concerned more with maintaining the long-established rapport with the patriarchs led by the Heung Yee Kuk. Therefore, when they were arguing against changing the law, their main concern was to preserve the long urban-rural cooperation atmosphere. And when these legislators realized the law could also affect the urban Hong Kong people who were living in the New Territories, their focus was to extricate only the urban women from the unequal law imposed on the walled village women. Walled village women's situation was perceived as “none of their business” and the perceived distinction between urban women and walled village (rural) women was clearly marked in the

urban community of Hong Kong. Therefore, to change the unequal law entirely was not on their agenda. As a result of this, when pro-movement legislators wanted to push further, even legislators who were once on the side of the walled village women and women activists groups decided to opt out of the further push of eradicating the Small House Policy, for fear that such radical action would annihilate social harmony and create a deep schism and hostility between the rural (walled village) people and the urban community. In the opinion of some legislators, gender, in the rural (indigenous inhabitants) category, had to make way for social harmony.

Village interests became the deepest concern for the villagers, even the female villagers as the decision would affect their own children. Even amongst the indigenous women I talked to, they were divided over the issue of changing the law. Some fought with the indigenous men in defending the customary law that protects the male indigenous inhabitants only. During my interviews with those women who were fighting alongside the male indigenous inhabitants, they told me that they needed to preserve their sons' interests. They were informed by the male villagers that once the government scrapped the customary law the male villagers would not be able to inherit their land or properties and their sons would lose their '*ding*' rights. The male villagers deliberately concealed the fact that women would be included in the customary rights. In the two villages when I conducted interviews, these women were of two extremes: Some were less educated and mainly stayed in the village, and some were actually at the late 40s or early 50s, relatively rich and educated, but who had benefitted from their parents' wealth and were worried that such a move may endanger their privileged position.

The composition of the group that supported the change mainly consisted of the local as well as the expat women activists group, with a small number of walled village women involved. For those walled village women who participated in this movement, most of them had received very little education or were even uneducated. Many walled villagers whom I talked to, especially those who were now in their late-30s and early 40s, told me that that even though they supported the change in law during the movement, they did not dare to openly rally against the rural patriarchy for fear of retribution. With this deep-rooted gendered structure and patriarchal dynamics, in which men dominated at the para-village and village council levels, laws and customs tend to favour men. Even when women realize that they suffer unequal treatment, they still choose to be silent or at least to avoid direct confrontation, especially those who live in the walled villages. A number of them living in both Wang Toi Shan and Shan Ha told me that they had to be careful because any outright challenge to these men may lead to trouble, not only for themselves but also for their families.

Therefore, the failure to persist in pushing for more radical changes in the indigenous community causes as a direct result of gender politics being considered by different parties with their vested interests. For one thing, indigenous women in general seem to be oblivious to their oppression. From my conversations with them, some did not even seem to realize that this is a form of oppression. They have internalised it and taken for granted that it is walled village custom. Also, a number of the walled village women activists, whether or not their stories were capable of being translated into women's rights stories, were not in actual fact engaging in fighting for gender equality against patriarchal oppression. Rather, they were concerned that their personal grievances be vindicated. Thus, once the law was

passed, there was no follow-up by the walled village women themselves or by the women activist groups. Many of them went their separate ways rather than persisting in helping educate the community about the implications of the new law. This is one of the reasons why the movement could not go further. As Miriam Lau observed in the LegCo meeting:

In fact, equality between the sexes has something to do with one's mind. It is something which works through the mind. Legislative means alone can hardly change ingrained traditional thinking. Hence, it is necessary for the Administration to step up its efforts in public education expeditiously and to instil the concept of gender equality in people's mind so as to exert an imperceptible influence on their thinking and their attitude. It is only in this way that effective results can be achieved (*Hong Kong Hansard*, June 22, 1994: 4555).

In my interviews with the five prominent activists remaining in Hong Kong, all except Tang Mui sounded weary when they recalled those days. This is especially so in the case of Cheng Lai-sheung when her court case, which sparked off the inheritance movement, was still pending and hoping to be settled out of court. She was under so much stress that she once called me at 5am to leave a message to the effect that she had finally remembered that AIG was the defendant in the case. She told me that she had suffered so much that sometimes it caused her insomnia - "Ai!! It has been so long. I have had enough torture. I just want to rest and get my money back". She told me that others, like Tang Ying and Tang Yuen-dai, have lost all the land and property that originally belonged to their fathers. Wong Sui-lai was still living under her father's roof but other properties that allegedly belonged to her



father were taken. The ordeal has taken its toll on the women, said Linda Wong, during my interview with her<sup>51</sup>.

For the five activists, all except Tang Mui told me that their lives after the movement have not been easy. Like Tang Ying, her story is a tragedy and, if it were possible, she would like to erase it from her memory. The movement has not been able to vindicate her past sufferings - the neglect and contempt she received from her husband and his family because she was not good-looking, ultimately leading to his betrayal; and deception by her next-of-kin in the walled village who promised to look after her mother and be responsible for her mother's funeral in order to receive Tang's father's properties. The movement could not help reclaim her properties. Instead, it stressed her out so much that at one point she began to have hallucinations.

As for Tang Yuen-dai, she failed to claim back the land and houses taken by her uncle through the movement. The new law could not help her to justify her claim in time. With the help of the village chief, Tang's uncle managed to transfer all the properties and land that belonged to Tang's parents to his own name before the new law was passed. As a result of Tang being illiterate, she did not know how she could get her inheritance back. Now in her 90s and almost half deaf, she has to live on Social Security Assistance. Some of her children took her money and now two sons take care of her when they have time and one daughter visits occasionally.

Wong Sui-lai, who is still adamant about regaining her father's land after the movement, has asked for my help several times to accompany her to the Lands

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<sup>51</sup> Linda Wong, Interview, 22 July 2009.

Department to protest against the person who is building on her father's land. When she was told by the officer that the ones who were building the houses were actually the landlords, Wong was furious: "That land is mine. It belongs to my father who had been adopted by the original owner. How can these people claim the land to be theirs?" she told me. When the officer asked Wong to provide documents showing her claims, she informed them they were with her lawyer. The officer told her to ask the lawyer to write a letter stating that Wong's lawyer would be taking legal action to stop the landlords from building. Even though all the evidence was unfavourable to her, she did not relent. "These are the things that are supposed to be mine. I want to get them back rightfully", said the 75 year-old pepper-grey-haired Wong.

Again, the new law did not help her to get back what she claimed to be hers. The complication with Wong's case was that a lot of the land she claimed as belonging to her father had already been taken away. Furthermore, there was no legal document to support her claim. Wong is now living alone in her natal village and occasionally helps her younger son to look after his children. She may be content to marvel at how tall her trees are, but she will never agree to settle for less than what she should be rightfully granted.

None of the activists who were involved in the movement continued recounting their stories to their indigenous community. There was no attempt to explain the importance of the newly amended law and to share with their fellow villagers how they should make their demands heard. As Tang Mui said during our interview, "It is very difficult for us to do more. Most of us are illiterate. And we are getting old. We may want to. But it's hard. Our spirits are willing. But our bodies are

weak”<sup>52</sup>. Cheng Lai-sheung seemed to have reservations when I asked her whether she planned to continue pursuing the cause of fighting for women rights in the walled village. “Now I dare to be angry but not to be vocal”. She told me that since she is now actively working with the Christian women’s association, she believes that it is better to befriend the village chiefs than to antagonise them. Tang Ying was very reluctant to even recall her stories. She told me that, if she could, she would have erased the tumultuous moments from her memory. Wong Sui-lai is still actively seeking ways to regain her father’s land, whereas 92-year-old Tang Yuen-dai, who is already half deaf, could not regain all the 30 pieces of land and eight houses taken by her uncle. Of the five activists in Hong Kong, the only lucky one is Tang Mui, who managed to regain some of her parents’ land from her next-of-kin. But still, the fight sapped all her energies and wore her out.

In the course of my interviews, legislators as well as activists who were involved in the movement also told me of their consideration to elevate women’s status in the walled village community. Some of the legislators who supported the change of the inheritance law were hesitant in supporting the eradication of the Small House Policy. They were worried that such act, even though in principle it was right to promote gender equality, might lead to a backlash and hostility between the government and the rural community. The change in the women inheritance, therefore, stopped short at the legal level. Women legislators are not making women’s issues a top priority. Seasoned women legislators like Emily Lau, as mentioned previously, once outspoken and seemingly no-nonsense, became renegades from the 1994 women’s movement. Other legislators focus more on issues

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<sup>52</sup> Tang Mui, Interview, 2 June 2009.

of livelihood, economy and infrastructure. The post-colonial political and social instability in Hong Kong has further aggravated the prospect of a focus on gender issues. Women's issues have lost their lustre and appeal to the political elite since the beginning of the new millennium.

Women activists and ex-legislators like Christine Loh agree that, since the passing of the law in 1994 and the establishment of the Equal Opportunities Commission to fight against all kinds of inequality, women's issues have languished in the doldrums. "It's a shame," Loh exclaims, "since we have been pushing for more reforms and work on the issue. Since 2000, no one has picked up the torch. We need a new generation of outstanding, outspoken women activists. A revival is what we need"<sup>53</sup>.

Even with the establishment of the Women's Commission, a government agency set up on the 15<sup>th</sup> January 2001 as a central mechanism to promote the wellbeing and interests of women in Hong Kong, indigenous women's voices have been neglected once again. The record of the Women's Commission in the last eight years has shown no sign of doing groundwork in the walled village area to educate women by organizing seminars or discussion groups.

Activists whom I interviewed agree that initiatives to push forward indigenous women's education about their rights were not encouraged because of a lack of funds. During her interview, Linda Wong commented that a lot of grassroots women's organizations needed funding, and in order to obtain funding, they need to

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<sup>53</sup> Christine Loh, Interview, 17 December 2009

compete with other NGOs which might be better organized and better-known, thus finding it easier to obtain subsidies from the government. Many times, NGOs that served the women have had to turn to organizing classes like cooking, knitting or singing to survive financially. They are lacking financial resources, as well as human resources, to help women in the urban areas, let alone in educating the indigenous village women. As Loh said during her interview, “The Hong Kong government is more like an administrative mechanism. They don’t have a political mission. To them, passing the law is the end of the story. If it were an elected government, it would need to be accountable to the people and any policies proposed during the election would need to be realized. In the case of Hong Kong, this is not necessary”

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Also, even the indigenous women who were once active in the movement are no longer interested in fighting for further indigenous women’s issues. Some who were in the women’s associations of the New Territories told me, off-the-record, that since they need the blessing of the Heung Yee Kuk, they dare not infuriate them for fear of not being supported. As a result, they are reduced to superficial and ceremonial activities like organizing classes and celebrations instead of being able to do serious work to help rural women understand their rights and opportunities. Indigenous women, therefore, would rather sacrifice their real interest in promoting gender issue and equality in order to survive in the patriarchal community. As Cornwall and Molyneux (2008:6) point out,

Rights work can and does proceed at grassroots level and through transnational network advocacy. But ultimately rights are enshrined in and

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<sup>54</sup> Christine Loh. Interview. 17 December 2009

guaranteed by states, and feminists who work to advance or reform women's rights are necessarily drawn into negotiation with states and parties and must engage in state arenas if they are to be effective.

The comment could partly explain why, legally, the movement could not go further than a reform. The indigenous women activists themselves were not, in the first place, fighting entirely for the feminist cause. Even with the help of legislators and women's activist groups, the negotiation process with the government was a problematic one since the core members were not united in what to do after the movement. Those who were in power were actually not particularly enthusiastic about uprooting the cause of gender inequality within the walled villages. Agarwal's (1994) study on India also suggests that governmental support is important in pushing gender equality. In Gao Xiaoxian's study (2011) on the success of the Heyang model to encourage women's political participation in the village in Shaanxi province, it could not be more clear that the success of achieving gender equality requires the women's activist groups at the local level to raise the awareness of the people in order to garner support from the government. In the case of the 1994 movement, the success stopped at the legislative level because the activists' group was lacking funds to pursue the course of educating the walled villages about gender equality further; in addition to which the government was ambivalent about and unwilling to further pursue the issue. One clear example is the contradiction between the legislation and the Small House Policy that perpetuates the idea of patrilineage in the walled villages. As Tang Mui said, "The Hong Kong government is still turning a blind eye when the walled villagers rip off indigenous women's rights. Is it that

women were not born from the same ancestors? Why can't indigenous women have the right to build their own small houses?"<sup>55</sup>

Most importantly of all, there is no follow-up from the grassroots level or the village level to demand such a change after amending the law. During my interviews with the villagers from the two villages, younger women from the walled villages, even though they unanimously support the law, as my interviews from the two villages have shown, were not optimistic that a change in the concept of gender equality could easily be achieved. They realized that there is gender inequality in the walled villages. But they thought that it would not be possible to change it since it has been their custom to treat different sexes unequally. They, therefore, choose to turn a blind eye or just accept that these are their customs and nothing can be easily changed. Even amongst those women who have moved out of the villages, some of them told me that as married out daughters, they did not want to interfere too much in the natal village business because they did not want to be perceived as eyeing up properties that did not belong to them as they are no longer part of their families. They conceded that they tried not to bring up discussions in the family with their parents about property issues. For those who have moved out of the villages and have properties of their own in the city, it was interesting to see that they were willing to give those properties or the money obtained from selling the properties equally to sons and daughters. In both villages Shan Ha and Wang Toi Shan, women/daughters who had moved out of the village play a rather different role in

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<sup>55</sup> From Wong, Linda (2004), 'The 10<sup>th</sup> anniversary of the New Land (Exemption) Ordinance – A reflection of the Indigenous women's inheritance issue' in *Commemorating the 10<sup>th</sup> anniversary of the New Territories Land (Exemption) Ordinance*. December 11, The Hong Kong Federation of Women's Centres. The original in Chinese is '政府仍然縱容圍頭人，唔通女人唔係太公亞爺生？點解女人無權起丁屋？'

steering for changes in the inheritance issue. In Shan Ha village, those women/daughters who have moved out of the village are still respected as part of the village community. As much as they are respected in the village (they are invited to the *Jiao* festival and are assigned a table dedicated to the married-out daughters), they also know that village customs do not allow married-out daughters to live in the village compound so no one actually would challenge this arrangement. They also told me during their interviews that since this is the village custom, and since they are married-out, their focus is on their own family, their husbands' villages rather than the natal village.

By contrast, in Wang Toi Shan, where there is greater flexibility in moving in and out of the village these days, the inheritance issue has not been a particular concern for married-out women. Of course they championed the changing of the century-old unequal law. The married-out daughters, however, could choose to stay with their natal families as there is no residential restriction like that in Shan Ha. Their inheritance issue is no longer a particular concern for the younger generation generally in Wang Toi Shan since a lot of the younger generation of women who moved out of the village are either financially independent or have married urbanites or villagers living in the city. Their views on inheritance are not a passive acceptance, but rather indifference as they believe that their world lies somewhere else. And their vested interests do not concern only inheritance. They therefore, do not feel the necessity to push for further reform as there are more options these days in the village as well as out of the village, unlike for previous generations, whose were tied to the village.



## ***Conclusion***

This chapter has discussed the interests of different parties and the dialectics between individual expectation and the collective interests. The chapter also examines the extent to which the new law has affected the women activists as well as the walled villagers in the legal aspect. It also looks into why the movement and those activists who were involved in the movement that changed the law did not pursue in promoting the movement's spirit and made it known to the wider public of the walled villagers.

The analysis of different parties' interests proves that the gender issue is always inextricably bound up with socio-economic conditions and the political situation. The indigenous women's inheritance movement managed to be successful in changing the century-old inheritance law because, to a large extent, there was a favourable political climate that facilitated the discussion of gender equality in the local context. Also, the socio-economic transformation in the 80s and 90s allowed Hong Kong people to become more concerned about their society. Whilst the economy was booming in Hong Kong, women in the region were generally also becoming more socially prominent. Together with its success in translating the stories about the indigenous women, who were in the past, strangers to the urban community, into a bigger picture of human rights and gender equality, the movement was able to appeal to the public. Legislators could not ignore the sentiment of the general public who favoured gender equality. The fierce and violent opposition from some of the walled villagers' demonstrations further proves to the public that the law must be passed in order to protect women from potential abuse and harassment.

With recourse to the concept of intersectionality, I argue that the indigenous women stood at the intersection of not quite ‘woman’ as defined in the Hong Kong context, and not quite ‘indigenous inhabitants’ as defined by the Hong Kong government. The condition of belonging nowhere is actually a result of the political situation in the colonial period, a period that divided Hong Kong into communities which ran their administration and law in two different ways, even though both were under the supervision of the British government. This dual-law system and double standard administrative strategies have contributed to a marked division between the indigenous/non-indigenous and the rural/urban. The division, as a consequence, has also led to indifference and ignorance of urban women towards the plight of indigenous women. Yet, with the gradual blurring of the rural/urban divide, the boundary has opened up to the rural women to engage themselves and traverse the rural/urban border. These women, who categorically belonging to nowhere, are taking advantage of the socio-economic transformation and the closing gap of the rural/urban boundary to extricate themselves from the perceived category of indigenous inhabitants, which by law, they do not fit the name. The village women who moved out carve their lives in a way that would not be much different to their urban counterparts. This division, which was once rigid and distinct, has become almost indistinguishable.

It is now almost twenty years since the new inheritance law was passed. Evidence shows that the law has some value in safeguarding indigenous women’s interests. The update on the prominent indigenous women fighters shows that their lives have not been changed much by the law. Despite this, they have borne a mark in the history of Hong Kong in the overturning of the century-old law of gender inequality and most importantly, the beginnings of change towards the long-held

patriarchal customs and tradition. Significantly, it narrows the divide between the walled village women and the urban women in legal aspects. Yet, in actual fact, there are still hurdles that need to be removed in order to achieve real equality in inheritance opportunity. For one thing, the Small House Policy still restricts women from fully exercising their rights. In addition, the deeply-rooted concept of patrilineage is a factor that discourages families from passing on their properties to their daughters. As also seen in Chapter 3, there were already cases showing that daughters are now living in the natal villages, with some even building a house for their daughters to reside in once they return from overseas or when they are needed. Still, in some villages that are still closed to rent or sale, and in which married-out daughters are not allowed to reside, only very few daughters could receive inheritance in the form of land from their parents. Eventually, they will need to sell them to the next of kin or for other purposes such as renting out as warehouses. Such a custom becomes a hindrance to the actual equality of inheritance. The right of indigenous women's inheritance prospect, therefore, is still subject to the customary practice in the walled villages. In general, unless the land is sold and the money is shared, women cannot benefit much from it. Indigenous women, therefore, abandon their heritage and gaze at where their future appears to lie: in the urban area or overseas where they may have a better chance to flex their muscles and prove their worth.

As I shall demonstrate in the following chapter, the rural-urban divide, which once separated the rural indigenous inhabitants and the urbanites in terms of socio-economic activities and cultural practice, has been blurred. Furthermore, the opening-up of the boundary has allowed the villagers to gradually experience the opportunities once given to the urbanites. How has this change in the rural/urban

boundary transformed the villages, as well as gender dynamics? How has the exodus of the young and educated female villagers led to a vacuum in women's participation and decision-making role in the walled villages, yet ironically united and obscured some of the differences that once were distinct?

## **Chapter 5**

### **Analysing the significance of the urban/rural divide**

In Chapter 4, I looked into the dialectics of different parties from the rural and urban areas and how different groups are viewing the women inheritance movement. I have also pointed out how the movement failed to go further in being promoted in the walled villages. As I suggested in Chapter 4 one of the reasons was that the walled village women activists were not originally fighting for gender equality. Also, it was because of the long divide between the rural and urban area that caused the ignorance of the urban women to the walled village women's condition, as well as to feel the need to push further for gender equality in the walled villages. The amount and content of scholarly discussions could also reflect on this rural/urban schism and the negligence of the New Territories as one of the important aspects in understanding Hong Kong.

Although regularly studied in brief, issues regarding the New Territories within the past decades are seldom examined in any great depth. This is especially prevalent in discussions regarding the indigenous inhabitants and their interactions with the questionably uncompromising divide that exists between the rural and the urban, the city dwellers and the rural inhabitants. Certainly, the special privileges enjoyed by the indigenous inhabitants, made and reinforced by the colonial and post-colonial governments, have set them apart from the non-indigenous populace, most of whom are living in the city area. The dramatic changes, brought about by the socio-economic transformation within the territory in the past decades, have ironically drawn the urbanites and the indigenous inhabitants economically closer.

This is due to the urbanization of the New Territories, a process that has simultaneously kept them at a distance in terms of customs and practices. The increasing availability of better job opportunities in the city area, together with better education opportunities that cater for city employability, has contributed to out-migration of the indigenous inhabitants (Baker, 1966: 33; Chau and Lau, 1980: 24). With the equal opportunity of education for all, due to the compulsory education policy, indigenous women who are competent enough are able to acquire the level of education that allows them to be employable in the city. We therefore also witness the continuous flow of people to the city area, as my ethnographic data in Chapter 2 suggest. This trend in the village has not only impacted upon the walled village community, in terms of its cohesion and its clansmanship, but also on its long-term development and its relationship with the bigger Hong Kong community. This is also in parallel to the role it plays in Hong Kong in the long run.

The study of the rural/urban divide and the subsequent out-migration of the walled villages, especially of women, also provide an important guide to the current changing dynamics, in particular gender dynamics in the walled villages. In this chapter, I focus on the rural/urban divide issue in Hong Kong and the changes of this in the past decades. Using my fieldwork in the two walled villages of Wang Toi Shan and Shan Ha, I examine the issue of rural/urban divide and look at how the construction of the differences of rural/urban identity has effectively divided the rural and the urban dwellers in terms of cultural and socio-economic practice. Furthermore, I explain how this consequently led to ignorance of and even indifference to the walled village women's situation during the colonial era. I then explore what happened since the passing of the equal inheritance law in 1994, and to what extent changes within the walled villages are the results of the passing of the

equal inheritance law. I venture on to discuss how the narrowing of the divide, in terms of socio-economics and education, coupled with Hong Kong's urban-centred assumptions, has led to the out-migration of the walled villagers, especially of walled village women. This has consequently led to the diminishing interest at village level in following up on the 1994 inheritance movement. The out-migration, ironically, has led to changes in the gender dynamics in the walled villages. This change is also brought upon by individuals who have moved in the walled villages and become part of the village community. Individuals become agents in [re]shaping the gender relations in the walled villages. It was the narrowing of urban/rural divide, the gradual merging of the communities, rather than the legal statutory that brought equal inheritance rights to women that has transformed the gender dynamics.

### ***The rural vs. the urban in the contemporary Hong Kong context***

Sinologists have explored the relationship between rural and urban areas in the study of Hong Kong and China, discovering how the changing dynamics of the rural/urban have affected the community as a whole. As early as the 1960s, S.G. Davis (1962:331) had already studied the impact of rural-urban migration in Hong Kong and how urbanization has given a face-lift to the New Territories.

Until the last decade of the rural areas of the New Territories have been dormant, situated within a few miles of a modern metropolis yet remaining largely undisturbed and unaffected by the progress of the twentieth century. Now the town is spilling over into the country; old villagers are being uprooted and replaced by urban development; village market centres are being transformed into substantial towns. Throughout much of the territory the picture is one of upheaval and change as blocks of modern flats replace

dingy, single-storey houses and as industry spreads and grows in many parts of the formerly rural area <sup>56</sup>.

When Baker (1966: 33) was studying the walled villages, he had already noticed how the increasing mobility of the walled village people had led them to renounce their village values and the 'lineage way of life'. Johnson (1975: 219) has portrayed how the gradual blurring of the rural/urban boundary has led to a change in the role of women. Following transformation within the community, after moving to a new locale where raising pigs and livestock was no longer allowed, women's work was more "confined to the domestic sphere than it was in the past". Some women however, though not many, were engaging in outside industrial work in the factories. Young women who were not married are described by Johnson (1975: 220) as working, "outside the home, typically in factories, though a few of the better-educated ones have clerical or teaching jobs". In the 80s, Lau and Chau (1980: 27) drew conclusions on the changes in their studied village with such remarks as, "[F]or the original inhabitants, their growing external orientation (resulting from external employment and the exposure thus generated) has led many of them to be indifferent to village affairs. Consequently, the status and respect accorded to the village representatives in earlier times have diminished". Opportunities to be employed in the city have drawn a lot of the villagers to try their luck in the urban area. As a result, agricultural activities were left to the elderly. These days, agricultural activities, once the key to the lives of the walled village community, have almost vanished from the sight of the villages as noted in Chapter 2.

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<sup>56</sup> Davis, S.G (1962). 'The rural urban migration in Hong Kong and its New Territories', *The Royal Geographical Journal*. 128 (3), pp. 328-333.



In the two villages where I conducted my fieldwork, signs of gradual blurring of rural/urban divide as discussed by the scholars above are evident. In fact, the transformation is even more staggering these days, with the rapid development of infrastructure and closer linkage between Hong Kong and China since the handover, the two villages had benefitted from the better transportation network, drawing closer to the city hub. In Wang Toi Shan where I lived, the west rail that connected the Pat Heung area to the city area has expanded to six stations connecting to Kowloon downtown area and even Hung Hom, where the east rail connected to China is located. Back in the days when I first moved into Wang Toi Shan, there were only four stations from where I lived. What used to take half day to reach the Kowloon side from Hong Kong 40 years ago and two hours 10 years ago has reduced to only 20 minutes via the rail. In Shan Ha village, for example, it took only 10 minutes to reach the town centre and another 30 minutes to reach Kowloon Hub, when comparing with 40 years ago it would take the entire day to go to the Central Business District of Kowloon.

The popularization of TV and internet has further served to pull the urban as well as the city area closer: walled villagers as well as the people living in the urban area can enjoy the same television and cable channels. The compulsory education system has opened opportunities to both male and female villagers to be able to study in the urban area rather than the village schools built within the village compound, in which a majority of the students are male villagers since female villagers were not encouraged to go to school. The network and infrastructure, as well as the commodification of the walled village that leads to the opening up of the walled villages have encouraged closer ties between the walled villagers, a tight-knitted community. In both Shan Ha village and Wang Toi Shan, every household

has their own television that connects to the four local channels, not to mention satellite dishes installed everywhere in the two villages. Like any other home in the city area, almost every home of the walled villagers visited during the survey has a computer and internet. Residents can access the same sites, at the same time, in different places.

In both Wang Toi Shan and Shan Ha, this change in the past decades has affected the relationship between the rural community, mainly represented by the walled villages, and the urban area, mainly represented by the city dwellers on the Hong Kong Island and Kowloon Peninsula. Shan Ha village's Fong Yuk Mei, an urbanite who was originally living in the city area of Hong Kong, witnessed how the change in the past decades has affected the way rural people live. Fong described that forty years ago, there was no convenient transport to connect the islands, the New Territories, Kowloon and Hong Kong. It could take half a day to travel from the walled villages to the Kowloon side or even to Hong Kong Island as they would need to travel by ferry and then by bus in order to reach the city area. After she married into the village, Fong used to take her affines (the relatives of their husbands) out to the Kowloon side (the city area) to see movies due to there being no television at that time. The village women would never go out by themselves as it was quite a distance between the walled village and the city. Now, Fong Yuk-mei could go out to the city area of Yuen Long within 10 minutes by mini-bus, and then either took a tunnel bus for 45 minutes to reach the Hong Kong Island or the West Rail to reach the Kowloon area within 20 minutes. In the 1993 Legco meeting, Martin Lee, a democratic legislator, had pointed out the gradual merging of lifestyle between the walled villagers and the urbanites when he was arguing against keeping the unequal inheritance law amongst the indigenous inhabitants.

Now, however, what is the real difference between rural areas and urban areas? Because of the electronic media and mass culture, any lifestyle difference between the rural people and urban people is becoming indistinct. The purpose of owning real property, both in rural areas and urban areas, is to make money. I recall that, when I was small, people were still talking about “country people” with “feet covered with cow dung” and “illiterate”. But today we see that the members of Heung Yee Kuk are all tycoons in smart suits and travelling in Rolls Royces. Containers are piled high on what used to be farmland. Rural children no longer have to work in the fields; like children in the urban areas, they receive nine years of free education. So, what reasons do members from Heung Yee Kuk have for insisting on keeping outdated customs”<sup>57</sup>

Joyce Tang (pseudonym), a 33-year-old Wang Toi Shan native, commutes between the walled village and the city area of Kowloon every day by minibus and then West Rail usually taking her about 50 minutes door-to-door. She finds the whole commute fine, even though ideally she would rather move to the city as that is close to where her friends and her life is. While we were talking over coffee, she told me that back in the days when she was still going to the village school, the only people she knew were those who lived in the walled village. But once she went to the city area to do her high school, her life changed. She began to know children from the city area and gradually studied in one of the local universities in the city. She found a business operation job in the city. She told me that she did not see the difference between her and her friends because the distance between the rural and the urban areas was getting closer. Yet, even though some young villagers like Tang regard both urbanites and walled villagers as the same, during my interviews with the walled villagers and the city dwellers in the walled villages, I found that walled

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<sup>57</sup> Hong Kong Hansard, 13 October 1993:240-241

villagers and city dwellers still regard each other as distant relatives: close but different nevertheless.

### ***Different generation of Villagers' perspectives on themselves***

During the 24 months of fieldwork in the two villages, I noticed the confused and at times contradictory elements that pertained between the rural and the urban divide. Whilst there is this narrowing gap between the rural (represented generally by the indigenous inhabitants) and the urban (led by city dwellers and those city dwellers who had moved into the satellite towns in the New Territories) and an affinity between the two, my fieldwork in the two villages and interviews with urbanites living in the two villages suggest that a certain degree of stereotypical perceptions of both groups towards each other still pertain. These stereotypical perceptions also vary across generations amongst the indigenous inhabitants. The older generation of indigenous inhabitants tends to see the city dwellers as different from them. They perceive the city dwellers as more modern and fashionable, more “civilized” and “cultured” while they see themselves as more backward. They often refer to themselves as “villagers” or “country people” which denotes a sense of rurality, backwardness and unsophistication. At the same time, they also take great pride in their culture, rituals and customs, something they proudly claim because they believe them to be special and distinct. In short, they see themselves as the inheritors of authentic Chinese tradition, something that the city-dwellers lack, leading often them to draw a line between the city dwellers and themselves.

Of all the older generation walled village informants I talked to, whenever they spoke about the daily lives and their rituals and compared their lives with the

urbanites' lives, they would address me as 'YOU, city person', and themselves as 'US, walled-villagers'. During a trip to China with the Shan Ha villagers, they often said to me that "you are not walled villagers, you don't know the customs because you are from the city". They believe of that as a city-dweller, I was completely different from them, even though they would say I was "their people" in reference to our shared Hong Kong Chinese origin. The older generation also noticed how I behaved differently from "their people". When I was approached by another older male informant and he later discovered my lack of interest and competence in handling housework, he could not help but exclaim "Wow!! Is that such a big difference between our village women and you urban woman?" It is no wonder that, behind the undistinguishable appearance (we are after all, all Hong Kong people), both feel they are connected, but different.

In both villages, whether in the open village of Wang Toi Shan or the closed village of Shan Ha, the younger generation indigenous inhabitants perceive themselves as more of an "in-between", at the intersections of the rural and the urban, with young indigenous women seeing themselves even less different from any city counterparts because they do not have the 'ding' rights as male indigenous villagers do. While they are aware of their special status and their "indigenous origin", they do not find themselves particularly different from their urban counterparts. These young walled villagers received education in the city area, and took up jobs in the urban area. Most of their friends are schoolmates from the schools in the urban area of Hong Kong. When they return home, they return to the village that reminds them of their 'indigenous' origin. The customs and practices, especially the special 'ding' rights also reminds them of their difference from their urban counterparts. A number of young villagers told me during the interviews that

they were proud of their “indigenouness” because of their distinct traditions and customs. When I was attending Shan Ha village’s Jiao festival, Ar Gou, who was a 19 year-old Shan Ha native, told me that this is something that they were most proud of. The cities did not have firecackers, nor Jiao, whereas in the walled villages they could experience such “interesting moments”. However, Ar Gou also believed that this was only part of their lives and that, in general, he felt like he was the same as those city dwellers. He bought the same kind of clothes; had the same kind of activities such as going to pub or restaurants and played video games to kill time. Cheung Luk-see of Shan Ha village also told me when she was at university, no one actually noticed that she was a walled villager until one day classmates started to realize her “indigenouness” in one conversation. Her classmates became interested and asked about the “basin food” and the customs in the walled villages. But to Cheung Luk-see, she was very much like any of her classmates. She went to the same school as them. She did what any city dweller would do during leisure time. She did not have to do a lot of housework nor help out in the family as we imagined a village girl would need to do. She lived her lifestyle of any urban young girl. She travelled to other parts of the world. As I had chronicled her life in Chapter 3, her life replicated that of any typical city woman of her age. The only difference was that she was from the walled village.

Some people are more aware their own in-betweeness in terms of their identity as a walled villager being connected and even immersed in the urban environment of Hong Kong. Tang Ying-nam is a 28 year-old native of Wang Toi Shan who works in the Cultural Services Department. Like any Hong Kong youth of his age, he went to the high school in the city area, then studied a pre-university degree before obtaining a university degree in the city area. And like any other city dweller, he obtained a job

in the city, had a girlfriend who is a city dweller. But to him, he sensed a kind of in-betweenness. Part of the reason, as he claimed, was that his father was a village chief. He would return home to talk about the issues the elders and male villagers discussed in the village council meeting. Tang Ying-nam also realized that he could build a house next to his parents once he decided to get married, something that a young city dweller finds it difficult to afford these days. He also admitted that he is a bit “chauvinistic”, which means that he likes to make decision on his own and he believes that women need to be subordinate, a stereotypical perception of a village man by a city dweller. He thought perhaps this had to do with the inculcation from his family, especially his father. His girlfriend, Emma (pseudonym) corrected him and said that he was actually not too bad. Her own father, a city man, was also very chauvinistic. She was required to do washing-up and some other house work at home. At that point, Tang Ying-nam was unsure how to describe himself as a walled villager. He admitted that while he thought he knew a lot about the walled villages, he actually knew much less than I did as a urban researcher. He finally told me that he cared more about his own life than the village affairs. He told me he had no time to spare on village affairs and his life, and job were tied with the city.

The fact that Tang Ying-nam cannot describe his in-betweenness as a young generation walled villager shows the transformation within the walled villages. Changes within the walled villagers are also noticed by the older generation walled villagers, who told me that they are worried by the gradual blurring of the rural/urban divide, and the out-migration of the new generation walled villagers, their customs and tradition will gradually disappear because no one cares about it anymore. While I was attending the Jiao festival of the Shan Ha village, Uncle Ming, a septuagenarian who is also a respectable elder in the village, was anxious about the

prospect of preserving this important festival. He told me that he was not sure if anyone among the young generation would be willing to shoulder the responsibility of organizing the Jiao festival and whether the villagers will still be willing to contribute financially for the event.

Nevertheless, despite the narrowing rural/urban divide and the gradual assimilation of the new generation indigenous people into the city, life has not, as scholars have pointed out, changed the way in which urbanites perceive their rural counterparts. Despite there being no difference in physical appearance between the rural and the urban inhabitants, urbanites in Hong Kong still regard rural villagers, particularly the indigenous inhabitants, as a different group from Hong Kong people. By physical appearance, one can hardly distinguish the difference. The idea of the difference is more a romantic imagination that retained from the past. Yet, these perceptions perpetuate generations after generations amongst the city dwellers. People in urban areas do not greet the indigenous inhabitants with disrespect or discrimination. Yet, as noted by the then-legislator Martin Lee, there is that perception, held in the past, of rural people as different, and the indigenous inhabitants as ‘rude and unreasonable’. The urban population often perceives them, in general, as rich country bumpkins who have land and money but are short of taste. This perception has not faded. In fact, in a lot of contemporary magazines, those talking about the country gentry (*hoenglsanl* 鄉紳), urbanites are still deriding the way the walled villagers look and dress, especially the older generation of indigenous inhabitants<sup>58</sup>. Tamara Jacka (2006) has noticed how rural migrants have

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<sup>58</sup> The most recent article mocking the indigenous villagers’ appearance is in an issue of *Next Magazine* (April, 26, 2012) in which the pompadour hairstyle of Leung Fuk-yuen, the chairman of ten village councils, was being scoffed at for being a standard hairstyle for country bumpkins.



been discriminated against by urban people and they often met with ‘exploitation’, whilst rural women are ‘compounded...by sexual exploitation, discrimination and abuse’ in China (Jacka, 2006: 8). But in Hong Kong, indigenous inhabitants are derided, not because they are poor and uneducated, but because they are considered unsophisticated. Of course, behind this simplistic generalization of their appearance, there lies also some general perceptions of what indigenous villagers are like as a community.

### *Urbanites’ perspectives on the walled villagers*

Urbanites have generally regarded their rural counterparts as a secluded, tightly-knit community, whose customs and traditions set them apart from the urban community. On top of that, because of the special history and the special laws and policy granted to the indigenous community, urban people in Hong Kong would regard them as a distinct group. They regard it as mysterious and secluded, rarely having occasion to set foot in the villages. There is always that rural-urban dichotomy in the minds of the Hong Kong urban population.

Despite the claim by E. Chan (1997), in her article “‘*Jyuh* Foh Ng Neu’ Female Inheritance and Affection”, that ‘rural’ and ‘urban’ are mere geographical differences<sup>59</sup>, to the general urbanite, there are quite marked cultural differences between the ‘us’ of the urban Hong Kong people, and the ‘them’ of the rural

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<sup>59</sup> In E. Chan’s article, it is emphasized that the difference between rural and urban areas in Hong Kong is merely geographical because “the population in the New Territories and urban Hong Kong both receive the same education, watch the same T.V., and enjoy equal job opportunities” (E. Chan, 1997: 194).

population, as perceived by the urbanites. During my interviews with urbanites living in Wang Toi Shan, they would time and again emphasize the specific differences between them and the indigenous inhabitants. The urbanites I talked to made the following comments: the most obvious difference is that the walled village men have ‘ding’ rights, whereas the urban men do not. Second, kinship and clansmanship is more important to the walled villagers than to the urbanites. They told me how those lineage and rituals are still practiced in the walled villages, though they are not as important as before. By contrast urban dwellers themselves do not have this sort of “baggage”, as they described. As scholars also pointed out that women’s status within the family has changed substantially in the past decades in the city. The rise of the nuclear family, the decrease in the birth rate and the higher age of first marriage, are all persistent trends since the 1970s. These are demographic signs that the traditional patriarchal family has lost its integrity. Patriarchal institutions do, however, remain intact in various spheres (Ng, 1994 in Lee 2003).

After mentioning ‘ding’ rights, the urbanites I talked to in Wang Toi Shan quickly pointed out the chauvinistic nature of the men and the exclusionary treatment the walled village women needed to endure. For example, they told me that walled village men never help out in housework but men in the urban area are generally perceived as very helpful in housework, or both husbands and wives will leave it to their maid. A simple but revelatory example would be that Hong Kong urban women may enter into any assembly halls or public gathering areas where there are men. In Wang Toi Shan for example, women are discouraged from entering the village council complex during the village council meeting. Even though there is no law stipulated in the village that no women are allowed to enter the village council complex in the village, they would be asked why they were there and would be

advised to leave. The most staggering claim they told me is about the “chauvinistic” attitude of walled village men. Apart from the “second wives” prevalence in Wang Toi Shan, they had heard of wife abuse cases and a lot of times, women were told to do both the housework and job outside and contribute their income to the household while men could relax and enjoy themselves at home without sharing the burden. Urbanites who lived there believe that because of the chauvinistic tradition in the village, together with the obscene amount of money the male villagers earned from the selling of the land and rent and sale of their properties, male walled villagers do not have respect for their wives and women are treated as subordinates.

A second example showing the perceived differences between Hong Kong urbanites and indigenous villagers is that of their means of livelihood. Despite both the urban dwellers and villagers entering into different modern occupations, such as lawyers, doctors, clerks and secretaries, as S. Chan (2001: 269) points out, the indigenous villagers obtain “a substantial portion of their income from the remittances of emigrant villagers and from land sales” rather than from their own salaries, as non-villagers do. Indigenous men have the ‘ding’ rights and they can build their own houses and own land. The urbanites I talked to tend to regard this as one of the most significant differences between the city dwellers and the indigenous inhabitants. Sister Fa, who worked as a property agent and lived in Wang Toi Shan for three years, told me that what set the village men and the urban men apart is that village men have ‘ding’ rights and are very chauvinistic. They believe that it is the men’s natural rights to enjoy life and not working unless really needed and women’s duties to help on every aspect in the household, as well as going out to work. This partly contributes to the persistent gender inequality in the villages. But at the same time, women, whether married or not married, who contributes to the remittances of

their natal families, become important in some decision-making process within the families, even in the village. In Shan Ha, for example, the financial contribution of the married-out daughters to the Jiao festival has led to banquets especially dedicated to them, as well as placards and bouquets that dedicate to their generous sponsorship of the event. They are also highly respected and mentioned in the event even though they are not allowed to live in their natal village as residence.

To urbanites such differences go far beyond geography and boundaries. In fact, these days, the geographical boundaries between Hong Kong, Kowloon and the New Territories have become considerably blurred. During the past three decades, rapid growth in population has pushed the government to transform a large part of the New Territories into satellite towns to accommodate the growing population (R. Watson, 2011). People who were originally from the urban area have moved to these new towns in the New Territories. They adhere, in many ways, to what is practiced by urban Hong Kong people which is why people living in the New Territories are not equivalent to rural people – a result of the dual-law system and the closely knitted society that allows almost no penetration from outsiders. To the thousands of others who have been in urban Hong Kong throughout their lives, they think of the indigenous villagers as aliens, isolated and secluded. The difference is never a mere geographical one, rather one of distant, seemingly exotic customs practiced in the walled villages. The dual legal system is an important mechanism that sets us apart. Also, whereas the legislative council has already been filled with prominent female legislators like Christine Loh, Anna Wu, Emily Lau, Miriam Lau and Selina Chow, to name a few, for Heung Yee Kuk, the de facto legislative council for the villages, there were only four women out of a total of 145 members sitting in the Kuk in 1995, and their names were barely known to the public.

On the macro-level, there are two significant aspects that demonstrate the cultural distinction between indigenous villagers and Hong Kong urban dwellers. One is how indigenous villagers try to instill the sense of Chineseness or 'Chinese identity' into their village people. In Wang Toi Shan and Shan Ha, the annual national day celebration has become as important as the tombsweeping festivals. Luminaries are invited every year to share the return to the motherland on October 1. In Wang Toi Shan for example, around 3000 walled villagers would congregate every year to enjoy the singing, the lucky draw, and the *basin food* organized by the village councils in both Wang Toi Shan and Shan Ha villages. The event is trying to remind the villagers of their roots and their tradition and customs, most importantly, they are reminded that they have inherited their identity, especially their rights by birth and the customs and tradition they have inherited. The "tradition", the "customs" they adhere to here also implies the patrilineal and patrilocal practice. Even though, the village committees in both villages have involved a lot of women villagers to help organizing the event.

Another significant aspect that demonstrates the cultural distinction stemmed from different inheritance practice between the urban and rural (walled village). Since walled villages still pertain the patrilineal and patrilocal practice, inheritance is still passed to male or next-of-kin rather than female. With the auspices of the colonial government towards customary law, the old Chinese culture still pertains, even overrides the British common law under the dual legal system (Selby 1991; Loh, 2004).

This perception of difference is further reinforced by the portrayal of village life and village characters in movies produced by the local urban Hong Kong directors. Representations of indigenous villagers in Hong Kong movies and TV shows often deride the indigenous village people as rich, old-fashioned almost to the point of being ancient, and uncivilized with outdated, savage practices like dog-eating.

From the 80s TV sitcom, *The land is mine* 風雲 (1980), to the 90s local Hong Kong movies; *Now you see love, now you don't* 我愛扭紋柴 (1992), 2000s *When a man becomes a woman* 當男人變成女人 (2002) and *I want to be a model* 我要做Model (2004), and even the recent TV sitcom, *The brave new police* 智勇新警界, there are characters from the indigenous villages who are portrayed as macho, old-fashioned and uncivilized. In the 1992 movie, *Now you see love, now you don't*, the protagonist is the village chief who is laughably old-fashioned and outdated. In *WHEN a man becomes a woman* (2002), one of the womanizers, Ngau chi-fei, is an indigenous village native who is chauvinistic and inconsiderate. In *I want to be a model* (2004), the undercover cop who is sent to protect the male model, Mandom, is originally from an indigenous village. She is pleasant but has no sense of taste. When Mandom finally falls for the girl, he has to visit her family and pretend to be an accountant because the villagers are so conservative that they would not want their girl to go out with a male model. The huge cultural gap is evident when the girl's brother jokingly asks Mandom to kill a dog for a dinner treat. Mandom almost throws up because city-dwellers in Hong Kong love dogs as much as their lives.

In the recent local sitcom, *The Brave new police*, the protagonist Fong Ah-zai, a police officer who is an indigenous villager stationed in the village, is popular

among the village populace because he runs the station very much as the villagers run the villages today - everything being based on personal feelings and connections (*jan4cing4* 人情). Thus, when his superior, a disciplined character takes over, he cannot stand the way Fong deals with the village order and subsequent clashes flare between them. These movies and sitcoms may or may not reflect reality; but they do show the perception which city-dwellers have of indigenous villagers and their practices.

As an urbanite all along, I used to have this kind of romantic yet critical feeling about the indigenous villagers. On the one hand, I felt that they were part of our past and that there was something vaguely familiar about their way of life. On the other hand, their practices and the way they talk seemed so different from ours. This becomes very clear when their respected elders and notables are made laughing stocks in TV commentaries and talk shows. Added to this is the lack of contact in the past due to the inaccessibility to the villages. With great improvements in public transport linking the rural villages and the urban areas in recent years<sup>60</sup>, the walled villages have become a popular focus for tourists and urban-dwellers. Previously, the journey would occupy a whole day's commute, yet now it has become a 20-minute train ride from the city to the villages. This change may have drawn us closer in terms of distance but we have not really come to terms with their culture. We want to

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<sup>60</sup> The electrification of the Kowloon-Canton railway in 1975 dramatically encouraged the commute between the rural areas of the New Territories and the Kowloon city area. Another factor in linking up the rural and the urban area is the West-Rail, which connects the satellite towns of the New Territories to Yuen Long, where some of the indigenous villages are located. This was opened in 2003. Before that, it took at least an hour and a half to travel from the Kowloon area to the indigenous villages. Now this journey takes about 20 minutes.

visit because we think of them as an interesting oddity, a tourist attraction, but we never really understand how things work in their little compounds.

The villagers, therefore, are more like distant relatives from another time to the urbanites. It is impossible to imagine that we have co-existed in such a mix of contradictory cultures for more than a hundred years since Britain completely took over the control of Hong Kong Island, the Kowloon Peninsula and the New Territories in 1898. To me, the only thing that a non-indigenous inhabitant can relate to in the indigenous villages is the recent surge of interest in their food called “common pot” (*pun4coi3* 盤菜 - literally translated as basin dish). This dish consists of all kinds of food mixed together in a big basin into which everybody digs to eat. The love of their food, however, is no love of mine. The passion is just like the kind of passion I have for other regional cuisines. To me they are still aliens, and not really part of my culture. In the theoretical discussion of otherness, Hans Steinmuller (2013) draws attention to the different positionality of anthropologists when studying at ‘remote’ place or ‘doing anthropology at home’. He argues that it is more difficult for anthropologists to study their homeland as he quoted Ardener (1989:211) “distance leads enhancement, if not enchantment, to the anthropological vision”. This has also been pointed out by Feuchtwang (1999) as I mentioned in Chapter 2. The challenges of being a ‘native’ anthropologist is immense as pointed out by both scholars, as it is sometimes very difficult for a ‘native’ anthropologist to detach himself or herself during his or her fieldwork. Yet, as I argue in my article (Ng, 2011) that as a ‘native’ or what it is generally called a ‘halfie’ researcher, having multiple positionality can help me in understanding the dynamics of the people and at the same time still pertain a certain degree of strangeness. In fact, this is what has been happening to me: when the shared appearance and language allows me to work



through a lot of difficult times and gain access to a lot of their functions, activities and insider information; while my unfamiliarity with their background and culture facilitates my fresh eyes that lead to what Ardener called the “enchantment”. This has not been only experience as an urbanite. To other urbanites, the distance that creates “strangeness” to walled villages and the indigenous inhabitants exacerbates the sense of indifference to any affairs concerning the walled villages and their people.

In fact, the debates and subsequent actions taken by the government over the inheritance issue show how urbanites are differentiating themselves over issues concerning indigenous inhabitants. The government, after learning that the non-indigenous inhabitants are also under the constraints of the New Territories Ordinance, expeditiously used administrative measures to grant exemption to exclusively non-rural land and non-indigenous inhabitants, a response to resolve the problems for the non-indigenous inhabitants. The responses I quoted from a female senior government official and legislators’ views, have already indicated that some of the legislators believe that there is an unspeakable divide that set the indigenous inhabitants and the urbanites apart.

These general perceptions of the indigenous villagers in the eyes of urban people explain why, for the past one hundred years, indigenous village women had no voice of their own in affluent Hong Kong. Despite the rapid economic growth and steady improvement of women’s social and economic status in the territory, indigenous village women’s conditions have not been taken into serious consideration. They are situated at the intersection of ‘walled villagers’ and ‘Hong Kong women’. Their claims to be walled villagers go so far towards heritage; they

are nameless in the lineage and are in no legitimate position to inherit. Being a Hong Kong woman, they are only qualified geographically since, even though they are situated in Hong Kong, the rights and opportunities that Hong Kong women enjoy have not been extended to the indigenous women until approximately 40 years ago when the urban/rural divide was gradually bridged because of urbanization. They do not quite fit into either category. As Hong Kong women, they are neglected because they are considered ‘walled villagers’ and live under a different set of customs. Like the Black woman described by Crenshaw (1991a, 1991b), the indigenous women’s cases, especially with regard to inheritance, could hardly win in the court because they are discriminated against by customary law under the auspices of the Hong Kong government. To the Hong Kong government, under the dual law system, any ultimate decision regarding land dispute should refer to the customary law. In the customary law, land inheritance always go to male villagers because indigenous women do not count as indigenous inhabitants when referring to land rights and inheritance. At the same time, they do not fall into the category of “women” as they are excluded from the protection of being a woman when the disputes involves customary law or rights in the walled villages. According to E. Chan (1997), only one village woman’s demand for inheritance rights has been documented before the 1960s, and this was ultimately dismissed as a family dispute<sup>61</sup>. The status of Chinese women, always of interest to sociologists, anthropologists and historians (Ebrey, 1991; Jaschok and Miers, 1994; Johnson, 1975; R. Watson, 1985, 1991, 2004; Wolf, 1968, 1972; Wolf and Roxanne, 1975), has never gained enough attention amongst Hong Kong urban dwellers. Even though the situation has always been unfair or, to use Stern’s phrase, ‘on the radar screen of the women’s advocacy groups for some

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<sup>61</sup> E. Chan (1997) quoted the *Hong Kong Law reports* (1967: 367-389).

time' (Stern, 2005: 424), nothing had actually been done to resolve the situation of the indigenous village people. That was, until 1994.

### *Consequence of the blurring rural/urban divide*

The legal change in 1994 signalled a ground breaking beginning that successfully challenged the long established patriarchal power of the walled village, even though, as noted in Chapter 4, the act failed to fundamentally overturn the favouritism of male inheritance given that the Small House Policy remains intact. Nevertheless, change was already underway long before the 1990s' inheritance movement. The New Territories were already undergoing rapid urbanization and transformation that profoundly altered the face of the bucolic area that was once the research focus for anthropologists wishing to understand the ancient practices of rural China. The changes, particularly regarding the gender dynamics within the walled villages, is more a result of the changes in the socio-economic environment of the walled villages, the blurring of the rural-urban divide that allows increasing mobility to both the urbanites and the walled villagers, rather than simply the legal change of the law in 1994. The transformation is more a gradual process than that of a radical overhaul as we expect after the passing of the new inheritance law in 1994.

In his book, *Unstructuring Chinese society: the fictions of colonial practice and the changing realities of "land" in the New Territories of Hong Kong*, Chun (2000: 2) succinctly describes the new reality of the village, which is more complicated than Hong Kong urbanites might imagine:

[n]o sooner had I moved into the village than I noticed strange symptoms of this traditional way of life. Agriculture had been totally abandoned decades ago, most of the houses were unoccupied, and in many instances occupied by a single elderly. The residents, by their own admission, were composed of the elderly and the young. Those of working age who remained in the village were almost certainly unemployed. Needless to say, those who lived there and were not working in any capacity were almost certainly subsisting on remittances sent from householders working in the city or abroad.

Chun's description of what he sees of the transformation of the walled village in the 1990s resonates with my account of the two villages. Gone are the days of rice paddies, sugar-cane fields and fish ponds. What is there instead, is garage-space rented to South Asians or Africans for profit, open storage and warehouses to rent. Land is either sold or used for small-house purposes. Despite remnants of the traditions and some of the customary practices, the patrilineal tradition based on agriculture has long since changed in nature. Urbanization has given the villages a new definition of tradition. The form of kinship and village solidarity is still strong and remains, in relation to land (Chun, 2000). However, the nature of lineage and kinship has become commoditized with rapid urbanization of the New Territories and the surge in the market value of land, as discussed in depth in Chapter 4.

The interface between tradition and modernity became more messy and nuanced to me the longer I lived in the walled villages; and the clear-cut dichotomy I had anticipated before moving into the village became less apparent. The development of satellite towns that have drawn the urban population into the rural area has also accelerated change in the rural villages (Chun, 2000; Chau and Lau 1980). As Chau and Lau (1980) describe, the establishment of new towns has changed the political dynamics and the socio-economic structure of the villages.

Second-generation villagers began to seek outside employment and established business in the city area. According to Chau and Lau (1980: 24), almost “all the males and young females of the original inhabitants become employed outside the village, and the daily tilling of the vegetable farms is left to the elderly females”. As a result, as Chun (2000: 269) observes,

[w]ithin the village, the radical changeover to a new mode of livelihood and rapid depopulation combined with fierce resistance to the outside produced two phenomena representative of the times, namely empty fields and vacant houses. The complete abandonment of paddy fields and terraces was replaced by occasional vegetable cultivation for personal consumption, otherwise paddy stalks everywhere gave way to weeds and tall grass”.

As social and economic dynamics have changed over the past few decades, so too have some of the practices and customs in the villages. Rituals and customary practices have been transformed or abandoned to cope with changes in individual villages. Tradition, often described as inflexible, static, and unchanging, is actually fluid and dynamic, constantly changing and reinventing itself to suit the political, social and economic context of a particular culture. Drawing on Raymond Williams, Hobsbawm and Ranger and others works, Cheung (2007: 19) cogently argues that traditions and modernity are not dichotomous. “On the contrary, ‘traditions’ frequently exist alongside ‘modernity’ because ‘traditions’ actually are current features of the contemporary society that come from a specific current interpretation of the current need”. Can tradition be used in this sense as a reason to obstruct changes that bring benefits to the walled village women? Can cultural specificity, which is often synonymous with the tradition of a particular community, be the reason for rural patriarchs to defend their hegemonic position in the contemporary walled villages? Indeed, as my study reveals, even though village patriarchs have

tried to defend the male position in village affairs, many of the changes have been lurking in a subterranean way that has not only led to the brain-drain of their male elites to the city and overseas, but also extended to lots of capable walled village women. Such women, who have received a high standard of education, have opted to move out of the village, or even if they live in the village, they choose to ignore what is going on around them because to them, the system is in place and, the tradition cannot be changed. With their new-found mobility, they therefore find new solace in the city that provides them opportunities and a lifestyle to which they find they are more attuned. As for older women, most of whom have grown used to the practice of the villages, they are not particularly keen on challenging the existing practice and generally accept it as part of their lives. They also believe that men and women are growing more equal so there is no need to do much about gender equality. When I asked them about gender equality, especially the old generation, they smiled and just answered “The world is now improving. It is already very equal in terms of gender roles and opportunity these days.” As a result, they do not feel the need to change, let alone push forward for the conceptual goal of gender equality.

### ***Individuals and the walled village community – The Doxa and the Habitus***

The blurring of the rural-urban divide has created a disproportionate imbalance in population distribution between the walled villages and the urban areas in both the city area in Hong Kong, Kowloon, and in the New Territories. Some of the villages are, in fact, facing extinction because their people have migrated to the urban area or even overseas.

In particular, the blurring rural divide has also facilitated the walled village women to migrate to the city. Similar to their male counterparts, a number of women in both villages, as Chapter 2 has shown, have moved out, either because of marriage or for work. There are also a growing number of women who are moving outside for the sake of convenience to live and to work<sup>62</sup>. For those who cannot afford it, they may stay in the village but, in fact, spend most of their time in the city area because that is where they work and play, conducting their lives and earning their livelihood. They establish their lives in the city, becoming part of the urban workforce that carries the walled village heritage in name only. They have no time to even talk to their parents, let alone participate in the village affairs, due to their long working hours and the act of staying in the urban area for most of the time.

Most of the women I spoke with in Wang Toi Shan have no intention of joining or participating in these meetings, especially the much older generation like those who are in their 70s and the younger ones in their 20s or early 30s. The older generation does not take part in the village because they are so accustomed to their marginal role in village life. When I was in Shan Ha, there was always a group of old people, both male and female, sitting along two sides of the main road that passed through the village. One afternoon, while I sat with them and chatted about things in general, I asked them if they would go to the village council meeting that was to be held on that night. All of them informed me that they were not allowed. When I told them that they were actually allowed to attend those meetings, one of them said to me, “I can’t be bothered. Why should I be bothered when I have already got one foot in the grave”. In Wang Toi Shan, when I asked the old women whether they were

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<sup>62</sup> Refer to Chapter 2 Table 2.5 and 2.6

interested in going to the village council meetings, they told me, “Those are for men. They are men’s things. We do our job. We have different jobs for each other (men and women)”..

In the discussion of the relationship between individuals and society, Bourdieu’s (1977, 1994) concept of habitus and doxa offers us valuable insights into why the women and men of the older generation are ready to accept the traditional division of labour alongside the placement of men as decision-makers. The idea of accepting the traditions and practice as the *raison d’être* is an interactive process. According to Bourdieu (1977), individuals acquire the practice in everyday life in a particular system. They are socialized and acquired a set of social roles and norms As the agents accommodates to their roles and relationships in the context of their position in the field, the agents internalise relationships and expectations for operating in that domain. These internalised relationships and habitual expectations and relationships form, over time, the *habitus*. As I mentioned early on in the introduction, habitus explains how people use practical strategies in the course of everyday life, “*L’habitus est cette sorte de sens pratique de ce qui est a faire dans une situation donnée*” (Bourdieu, 1994: 45). This practical sense of ‘what to do’ in a given situation is not a conscious act of mastery and skill. Habitus is a system “of durable, transposable dispositions, structured structures predisposed to function as structuring structures, that is, as principles of the generation and structuring of practices and representations which can be objectively ‘regulated’ and ‘regular’ without in any way being the product of obedience of rules” (Bourdieu, 1977: 72). Habitus, as Judd (1994: 255) explains, “operates as both a structured and a structuring elements generating structure through practice”. The actions and responses of the older generation corresponds to Bourdieu’s idea of habitus in which women and men act



according to the structuring principles without questioning or consciously feeling that they are obliged to follow. In short, this is simply an attitude that accepts 'the way it is', or 'it is how we live.' An answer I gained from a grandmother in Wang Toi Shan, when I further probed her about why she does not go upstairs to attend the council meeting was, 'Women don't do those things'. This reflects not merely the practice but also the perception of what needs to be done as natural and self-evident, a situation described in Bourdieu's concept of doxa. In the process of interpreting, analysing and deciding what to do, which in this case, the woman remains adherent to the practice in the village, in so doing, the participants are also actively becoming agents to maintain some of the customary practice in their system.

Similar responses can be found among the younger generation. Of the 20 young people I talked to (aged from 15 to 30), every one of them was shocked when they were asked why women do not participate in village affairs. Unanimously they replied, "that's just the way it is". When I further asked the younger generation why it was that the older women do not participate in village affairs, they all shrugged their shoulders and agreed that "the grannies only cook and work on the farm. This is their life". Then, when I asked why they themselves do not participate in village affairs, like the two sisters Betty and Jennifer, aged 28 and 30, from Wang Toi Shan, they told me: "We have our activities outside the village. To us, the house in the village is just for eating and sleeping. They never care about whether we will take part or not. And we don't really care, either. We don't feel we belong here anyway. Our life is not in the village. Our life goes beyond this village". Cheung Luk-see, of Shan Ha village also shared a similar sentiment, saying, "I really don't involve myself much in village business. I am too busy with my life. My life is outside. Everybody wants to go out and take their shot at the world. I don't want to stay in

Hong Kong. I like going to China. I like going out. I worked in Vietnam for a few years”.

I then asked if there was anything she felt she could become attached to if her life is already out in the city. “I do cherish the traditions in the village. They give us a sense of belonging,” she replied. She does not, however, actively involve herself in village affairs, even though she says she is proud of her tradition because it is ‘cool’ and interesting. She repeatedly told me that, “It’s just the way it is”. To her, the status quo is natural and self-evident. My questions about established practice merely puzzled her.

The perceptions and attitudes of women from different generations raise several problematic issues: women of different generations know the practice or the “customs” in the village; and, there is a point of fracture in terms of the practices of different generations. The older generation of women (above 50), the middle generation (30-50) and the younger generation (below 30) perceive practice differently. Bourdieu’s *doxa* helps explain the discrepancies between gender relations and the role of women across generations. It describes the ways in which generations can unite in terms of beliefs, that is, unless they are exposed to a different form of ‘being and doing’. Bourdieu’s concept of practice theory, as Judd comments, is to deal with (unconscious) *habitus* or the (largely tacit) custom of pre-law. This explains the unilateral response towards the existing custom of male dominance in village affairs – accepted because this has been the status quo for a long time. Patriarchy and patrilineage have taught them in the walled village community their place is where their husbands belong. They have internalized the concept of being the other in their natal village at a very early stage in their lives.

They would not consider having rights in their natal village as important due to regarding their presence as only temporary members of their natal families. The problem with this concept as held by the women is that patrilocal residence is no longer as important as before, now that the walled villages have become more open for rent and sale. Patrilineage still exists but, with the blurring of the urban-rural divide, many walled villagers establish their work and life in the urban area as well. As such, patrilocal or virilocal residence is no longer an essential feature of life in the walled village community. People's choice of where to live is now primarily based on their financial situation and their convenience. With the rural/urban divide narrowing, and the boundary becoming blurred, the young ones are now having multiple identities. Bearing their walled village heritage, but at the same time known for their sophisticated, educated urban citizenship and for some, even global citizenship, they are ready to shift and choose which structure or system they would like to be situated in. The opportunity, once rarely available to girls, is now open to all because of the change in compulsory education for all children in Hong Kong. Therefore, rather than challenging the existing structure even if they find it contradictory to their experiences outside the walled villages, walled village women take the practice in the walled village as it is, engaging in another structure and playing along with the parts required by that structure. Even though they may think that change is a good idea, they are not the ones to instigate such change due to having already adopted the structure without much questioning. Furthermore, they carry the same attitude when they return to the city. Also, when women are exposed to another form of "being and doing" as Bourdieu suggests, women will certainly question the current state. And women will also fight for their rights in their permissible realms, if circumstances encourage them to do so. In this respect, Bourdieu's emphasis on practice and individual agency is important to the

understanding of the villagers' behavior. They are not simply passively responding in a homogeneous manner. Rather, they understand what different fields require and in so doing they acquire, interpret and oscillates themselves to allow discrepancies of practice in the villages and in the cities, understanding perfectly well that how these can be bridged or [re]interpret when they enter from one field to another. In this case, individuals are becoming active agents who are internalizing the externals and externalizing the internals.

In this case, both Bourdieu's practice theory of doxa and habitus and Judd's concept of custom are relevant, even in this rapidly transforming community. This is evident due to Bourdieu's concept outlining the 'unconscious practice' whereas Judd's (1994: 255) concept of 'custom' is a term 'common within ordinary Chinese discourse, in which people reflect on their own social patterns'. This is not unusual in my experience as I learnt from hearsay and witnessed a few incidents in the village myself. The women act only when it is permissible, or, even when they do act against the current practice of the villages, they tend to relate it to the core value of the structure in the walled villages. One clear example is provided when the seven women activists were promoting the change in the law during the 1992-1994 inheritance movement. They also related themselves to the "affection" with their family (E. Chan, 1997)<sup>63</sup>. Another incident occurred when I was taking a minibus to the town from the village, in which I overheard a conversation between a woman and a man (who was one of the village chiefs). The man saw the women on the minibus, then knocked on the window and asked if she had signed the petition. She yelled at him asking, "Why do you keep asking me to sign the petition? You ask me to sign

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<sup>63</sup> See also Chapter 4.

their name without letting them know anything?!” Then, however, the woman just signed it anyway. The woman clearly knew her rights and understood that what the men were doing was not right, but she did not do anything concrete about it. In fact, a lot of women complain about the village men’s attitude. They are not happy but neither are they planning to change the system. This is due to their thinking that there is no point in changing it because this is the way things are. For some of the women, their acceptance may not be voluntary. But they are often thwarted by the circumstances and since this has been the way the community works, with men still in majority controlling the village affairs, they therefore have to accept it.

Another critical reason that led to the indifference of the walled village women towards the changing of the existing system is the urban-centred assumption of the Hong Kong populace. For example, of the three Shan Ha village chiefs I know, two of them live outside the village. Only when there are meetings or their attendance is required at important functions would they return to the village. Villagers also have the perception that living in the city, or having gone overseas soaked in or drunk the salt water (*zam3gwo3haam4seoi2*, 浸過鹹水), is actually better than being a rural bumpkin, a label associated with “backwardness” and illiteracy. Of all the informants I talk to, they all believe that city dwellers are ‘more civilized’. Those who are 50 years-old and above always told me that the villagers are uncultured or uncivilized (*mo3man4faa3*, 無文化) whilst also recognizing the fact they are a special group in Hong Kong because of their special privileges. All these suggest that, whilst they want to retain their existing benefits, they indeed eye better opportunities to elevate themselves into a group of civilized and cultured urban citizens of the community. This urban-centred assumption also explains why there is a mass rural-urban migration of the indigenous inhabitants. It further sheds

light on why the well-educated new generation of walled village women is not keen on changing the structure of the walled villages by actively participating in the village affairs.

### ***Individuals as agents?***

When the walled village women leaving the walled villages for better opportunities in the urban area, what are the roles that women or men, who either have moved out or who have moved in, play in the walled villages?

Yan's (2006) research suggests that individuals are instrumental in serving as agents of change to some of the practices of everyday life and Chinese society. On one hand, external factors like rural reform and market-oriented reform alter the everyday life of the Chinese's practice; at the same time, it creates opportunities and facilitates changes and allows individual to become an agent in shaping his life, which in consequence also reshape the dynamics of his surroundings. As Yan (2006:106) comments that young women in China "have been perhaps the most active agents in initiating significant changes in intergenerational relations and patterns of family life."

In the walled villages, indigenous inhabitants who left for the urban area, as well as the urbanites who move into the walled villages, have inadvertently acted as agents that change some of the customs in the walled villages. Women who are well educated are charting their own territories, as I have shown with some of the cases in the previous section. Their independence and sophistication earns them respect and trust in the families, manifested when a family decision is involved. Of course, the

blurring of the rural/urban divide and the commoditization of the walled village houses has also prompted the [re]invention of their traditions. The people, however, or more precisely, the migrants, who move in or out of the village, have been an important aspect in changing some of the fundamental practices. One obvious example is the change of headship system in year 2000 when Chan Wah, a non-indigenous inhabitant who lived in an indigenous village in Sai Kung, and Tse Kwan-san, a non-indigenous inhabitant who lived in an indigenous village in Yuen Long, filed a lawsuit against discrimination of their non-indigenous status in elections for village representatives. Both have lived in the walled villages throughout their lives and Chan Wah is married to an indigenous inhabitant. Tse was not allowed to enter the village representative election and Chan was not allowed to vote. In the end they won the case and the two-head system was implemented in all indigenous villages. This resulted in each village needing to have two village chiefs, one indigenous inhabitant and one non-indigenous. This change has transformed the village politics which was once exclusively for indigenous inhabitants only.

Likewise, during my fieldwork, I also witnessed how individuals in the villages can transform the gender dynamics in villages' customary practices. Rural-urban and overseas migrants have unintentionally altered the gender dynamics within the villages. For example, with the exodus of the male indigenous inhabitants to areas overseas, their old mothers have become the representatives of the households and are asked to sit in the village council meetings in Shan Ha and San Tsuen, the second fong of the Tangs. In the meetings they also voice their sons' concerns and their own opinions. Also, because of the exodus of the male indigenous inhabitants, many women are encouraged to participate in festive and ritual events, as I illustrate in the following chapter.

Outsiders who are well informed, and are considerably sophisticated in their opinions, have become a major force in changing the dynamics within the village. They could help to change the village women's role and the way the village men perceive women and, therefore, enable women to play a critical part in some of the village affairs. This was especially the case in my search for information about how individual woman can change the gender dynamics, and even some of the customary practices, in the walled villages.

### ***Married-in women as agents***

Fong Yuk-mei's position as an outsider married into the village is also a good example of showing how a non-indigenous woman, married and feeling at home in the walled village, acts as an agent in reshaping the women's role in a walled village community. 62-year-old Fong towers over average women in the village. Strikingly good-looking for her age, she works actively in the Yuen Long Women's Association and pulls no punches when discussing the situation that faces indigenous women. When I walked around the village and talked to the villagers, they all had a look of respect whenever I mentioned her nickname, Auntie Kai ( "Kai2sou2" 啟嫂). They all raved about how competent and smart she is. Some even told me that she is even more capable than many of the men in the village. I have seen this personally when Fong helped out in organizing major events in the village like the national day celebration, the Winter Eating Festival (*hon4sik6zit3* 寒食節) and the Lantern Festival celebration at Chinese New Year (*jyun4siu1zit3* 元宵節).



I asked how she has dealt with being a wife within the walled village. As a women originating from the city side of Hong Kong Island, even though Fong had to do housework, she did not need to carry the water and go to the field and plough. She could not enjoy movie-going as she had done when she lived in the city. Forty years ago, there was no convenient transport to connect the islands, the New Territories, Kowloon and Hong Kong. It could take half a day to travel from the walled villages to the Kowloon-side or even to Hong Kong Island as they would need to travel by ferry and then by bus in order to reach the city area. After she married into the village, Fong used to take her affines (the relatives of their husbands) out to the Kowloon-side (the city area) to see movies due to there being no television at that time. The village women would never go out by themselves as it was quite a distance between the walled village and the city:

As a family, those in-laws (sisters-in-law) might think, ‘You are from Kowloon (from the city). You might be a very difficult person. The ways you act and think are different from us.’ I had to acculturate myself. I had to do as the Romans do. I am a person who will just be myself and stick to my own principles. If it’s unfair, or if we can work some other ways, I will make sure they know my bottom line. I will not take advantage of other people. Sometimes, I will myself stretch more and help other more so that they know I am sincere. Whenever they need me to work like cooking a dish together, I would help out right away. This is also my personality. I enjoy helping and enjoy making friends. But I also respect their culture as long as it doesn’t compromise my thinking and my principles.

Fong’s role in steering and reshaping the genderscape of Shan Ha village reveals the core principles of the empowerment of women. Women have to acquire enough know-how and understanding of their entitlements. Without a knowledge and understanding of their rights, and having been brought up with the idea of eventually becoming a ‘married-out stranger’, it is difficult to motivate and mobilize

the women to stand up for their rights. Having a non-indigenous woman move into the village and enjoy it, while being both assertive and ready to help in every way, has transformed the village's perception towards the role of women. Men may consider women as helpers who should be content to help out at the household level, and further consider that it is they themselves who are equipped with the steely will and ability to make decisions and handle crises. However, the incident which Fong Yuk Mei recalled about the police station is a testament to women's ability to manage a crisis, work as a team and deserve respect and a place in the planning and decision-making of a community, be it rural or urban.

Fong's critical role in reshaping the gender dynamics in Shan Ha could be seen when she mobilized the women to help other women involved in a dispute. This has shown how the women's position has changed, thereby allowing them to speak and express opinions in the village council a decade ago.

Fong: There was one time when the government said they wanted to level Mao Tou Shan. This would affect our fengshui. The village chiefs didn't do anything though we were strongly against it. When those grannies who went to protect the mountain from being leveled were being taken back to the police station, the entire group of women went to surround the police station.

Q: Why didn't the men go?

Fong: We (the women) told them not to go. If the men went, it could become more serious than it's supposed to be.

Q: ... Why?

Fong: There could have been a fight if they (the men) had gone. It's easier to control women.

Q: Right, right. It's easy to get into a fight if men went.

Fong: At that point, some women suggested storming into the police station. I said, "No. Don't go into the police station". I asked them to stay outside the police station instead. Because if we stormed into, the police would open fire and the grannies would all get cold feet.

Q: Ha ha ha ha ha!

Fong: Yes. If we were outside, there would be reporters. Even if there were no reporters, there would be passersby. Then the police would not dare to open fire. We did it publicly so that the police could not say, “They tried to take our guns. They could not say whatever they wanted. If we waited outside, in a public area, whatever they said would be known by the public. That’s why I told them not to go to the mountains, but to go to the police station. Whatever happened, passersby could see it”.

Fong: Since then, we were allowed to speak in the village council meetings.

Fong Yuk-mei’s account of how women helped in mobilizing support and devising a strategy to save the village clearly indicates that village women have the ability to work on a par with men. Most importantly, the incident proves that women’s participation could serve as an agency in changing the gender dynamics of the village. The women’s role could be crucial when a situation became really tough, and their participation in critical events could be a catalyst in changing the prospective gender relations in the walled villages where patriarchy has been so solid and strong.

A number of married-in women do help transform the villages in different ways. Like those who marry into Wang Toi Shan. Some among them have formed themselves a woman’s group in the village to organize activities in 2012. to transforming women from being purely perceived as indifferent to village affairs, and concerned only playing mahjong or watching television. They help organise festive events like the National Day Celebration. There are altogether 50 women who belong to this committee, though not an official organization. The purpose of this committee is to meet the increasing demand of labour to organize and implement activities. However, what we see in the women committee is that most of the members are over in their 50s. The younger women, as they told me, are too busy

with their jobs and their lives. They are not very interested in village affairs. This year, some women villagers also volunteered to work as the Masters of Ceremony in a number of events, including the National Day celebration night. The active involvement of women in the villages has shown how women are working to transform existing gender dynamics.

Migrating daughters and those who are still in touch or attached to Shan Ha village and Wang Toi Shan also contribute a lot in shaping or reshaping gender dynamics. In Shan Ha, for example, migrating daughters or out marrying daughters contribute a substantial amount of money to the Jiao event in Shan Ha village. Also in Wang Toi Shan, remittances are sent to their parents which in ways help improve the livelihood of the family and allow migrating daughters to be involved in their own family affairs. This also changes the perception that “daughters are invaluable goods” because a number of those who have moved out in fact are professionals who help sustain the families.

### ***Strategies for changing gender-based practices***

The gradual blurring of the rural divide and socio-economic transformation within the walled villages as well as in the Hong Kong community has changed the gender dynamics within the walled villages. The change of circumstances has also encouraged women to engage in a lot of activities that resulting in a change in the gender dynamics of the two villages. The moving out of both the male and female walled villagers; the exodus of male villagers that in turn prompts the women who are in the village to participate in the village council meetings and different activities.

Also, apart from the change in circumstances that allows women to involve more in the village affairs, women are also leading in changing the gender dynamics. My experience as an ethnographer in the two walled villages also suggests that with appropriate agency from the outside, and increased awareness of walled village women regarding their rights, women are becoming the force that transforms gender dynamics in the walled villages, to the betterment of the whole community. The following demonstrates that with better communication and understanding between the male and female, there will always be opportunities to alter the gender dynamics in the walled villages

The Jiao (*p*) (*ziu3* 醮) festival in Shan Ha village is a spectacle held every ten years, and is an event for which the villagers long for and keenly anticipate. Three years ago, when I started mingling with the villagers, their conversations often began by asking whether I had heard of the *Jiao* festival. I told them I had never been to one and they answered eagerly that it would be an entertaining event with lots of interesting rituals. Furthermore, they informed me, many Shan Ha villagers who live overseas would return to take part. They also mentioned that an interesting aspect of some of the rituals was that female participation was not allowed due to the fear that pregnant women, or women who were menstruating, would spoil the entire ritual. “We can’t ask every single woman whether she is having her period or not,” said one elder chief, “so we just ask all women to stay at home until that ritual is finished”. I was really looking forward to the event in the conviction that it would be interesting to see it from the perspective of an urbanite, like myself.

I spent time following most of the rituals for the Jiao festival. The offering activities, as one might expect, were conducted by the Taoist priests together with the chosen ones from the village. Women were allowed to be present and to participate in some of the other activities. However, for the pre-Jiao events, like the *qilin* eye-opening ceremony (*kei4leon4 ho1lgwong1* 麒麟開光), the involvement of women and those who were born in certain years that clash with the rite was strictly forbidden. The whole ceremony included offerings in the ancestral hall and the ‘opening the eyes’ of the *qilin* with a brush and ink - representing the descent to earth of the spirit of the *qilin*. Following this, all male villagers marched to the temple where the Shan Ha villagers usually conduct their offerings and worship. The ceremony lasted all night and the participants waited in the temple on the mountain until early dawn. Elaborate worship rituals were conducted by the Taoist nun at the temple and fire-crackers were set off before the *qilin* was taken back to the village on foot.

As soon as I arrived in the village, there was a major debate over whether I should be allowed to travel up the mountain to the temple with the permitted villagers. For one thing, in the entire history of Shan Ha, they had never allowed any female to travel with them throughout the rite. Because of this, there was a split among the villagers, though most were in favour of my being there for the entire ceremony. One male warned Cheung Muk-lum, the chief of the Jiao committee and the village chiefs, that the elders might not like it. “It’s an important event. The old ones may not allow it. A few young women from our village wanted to go as well and were ordered not to by the elders”. I told them that I did not wish to impose on them should they not want me to participate. Nevertheless, a few of the men, who were elders, insisted on me being there and I was subsequently asked to go into the

ancestral hall for the ceremony. They even allowed me to interview the elders and helped me set up to take pictures. The elder responsible for making the decision finally said that I could attend, if I wanted to. “Just a quick question,” he asked. “Are you having your period?” I said “No. Do you want someone to check it?” He said, “No! No! Ha ha ha! I believe you! Just go and have fun”<sup>64</sup>.

Later on, they invited me to go on one of the coaches that was taking all of the male villagers to the foot of the mountain for the rite. The invitation was also extended to some of the young female villagers who had at first been refused permission. “It’s just once in ten years that you can see it. And I have never been allowed”, said Dolphin, one of the girls. “This time I just can’t miss it”. This was the first time ever that women had been allowed to be part of those ceremonies due to women previously having been forbidden to attend.

Both Fong’s and my experience, as urban-rural migrants who inadvertently helped change some patrilineal customary practices in Shan Ha, suggested that while their own women may have moved out and sought opportunities elsewhere, the village practice and traditions have been changed through the blurring of the rural/urban divide. This is also in parallel with the exchange of information and people, and also through outsiders’ involvement in the walled village. Most of the

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<sup>64</sup> According to Emily Ahern (1975: 193), “[i]n Chinese society women are regarded as both ritually unclean and dangerously powerful, and they are barred from certain activities because of the harm they threaten to inflict on others”. What will be considered unclean? “Principally bodily effluvia associated exclusively with women are unclean: menstrual blood and postpartum discharge, which are believed to be the same substance. When a woman becomes pregnant, menstrual fluids accumulate in her body” (Ahern, 1975: 194). That is why some of the festivities or celebrations forbid pregnant women or women who are having their menstruations to participate.

outsiders living in the village, from my observation during fieldwork, do not actually get involved in the day-to-day village affairs or their rituals due to their status of being outsiders. This is especially evident in Shan Ha, where outsiders are not allowed to reside. Yet, evidence suggests that those who marry into the villages, like Fong, could act as agents in transforming some of the customs in the villages. Their experience of the outside world has also helped change some of the practices in the villages. As the next chapter demonstrates, the different generations of walled villagers have been changing domestic as well as village-level customary practices. This is despite some still clinging to the old days, the past glory of male dominance and still enjoying the benefits entailed in the old customs and the colonial government's legacy- the Small House Policy.

### ***Conclusion***

This chapter examines the rural/urban divide that once set apart the indigenous and non-indigenous people. It explores how the years of a geographic boundary, together with legal, socio-economic and cultural divisions, have led to a divide between the rural and the urban; and between indigenous and non-indigenous inhabitants. By referring to my ethnographic discussion and self-reflexively discussing my position as an urbanite, together with studies conducted by anthropologists and historians, I demonstrate that the divide is more than an imaginary concept and a matter of 'mere geographical differences', as E. Chan (1997) has claimed. The colonial regime has separated the two groups of people, who, with the closing of the geographical gap by means of transport and urbanization, have gradually merged together because of sharing the same education opportunities as well as information. Yet, with increasing



job opportunities and the flexibility of the rural/urban boundary, a new generation of educated women find themselves undervalued in village affairs, often leaving the decision-making process. This is especially prevalent in issues concerning land and profit in the walled villages. They are not keen on participating and thus become detached from village business. This is apparent since their world is outside, and their future does not lie in their natal villages. When vested interests are not restricted to the places to which they originally belonged, women find a way to fulfill their dreams and to establish a place outside that they can call home. Both young and old women are so used to the discriminatory nature of the land policy that many of them who do not leave the villages take refuge at the mahjong table, believing that village business is “no woman’s business”. I have used Bourdieu’s notions of doxa and habitus to explain why walled village women believe that it is not necessary to push forward for changes following the 1994 equality movement. I have pointed to the reasons that lie behind the indigenous inhabitants’ indifference in furthering the movement and how this has posed a hurdle to further fighting for an overhaul in the concept of equal inheritance. I have also indicated how the long years of division and urban-centeredness has led to the exodus of the walled villages, and how urban dwellers’ indifference and negligence towards walled village women’s plight has effected the 1992-1994 inheritance movement. The subsequent lack of follow-up by urban women activists also shows that, in lieu of insufficient funding, helping the walled village women all too often became secondary in their list of priorities. Instead they put their energies into serving the urban area or in places where they believe their attention is most needed and issues most pressing. Clearly, educating walled village women, or pushing forward for the awareness of gender equality, is not top of their list, as a few activists have sadly told me.

My ethnographic fieldwork suggests that changes in the gender dynamics in such villages have been underway for a long time - as I reveal further in the following chapter. One obvious reason for this lies in the blurring of the rural/urban divide that encourages the mobility of the population and the free flow of information. The practices and customs of the walled villages, once unknown and foreign to the urbanites, have become familiar and even interesting. Also, the merging of the rural/urban population, combined with the commoditization of the walled villages, have forced villages to adopt a more flexible and even compromising approach to their once strong and exclusive community. Gone are the days when only their own kinsmen were allowed to reside in their villages. Patrilocal and virilocal residence is still practiced but is no longer compulsory, nor a particular feature to which they can proudly lay claim.

Another factor facilitating the changes is the mobile population, also known as migrants. With the two-head system that legally permits non-indigenous inhabitants to vote and be elected as village chiefs, and with increased flexibility due to the commoditization of the walled villages, urbanites who marry into the villages, and who have moved in for a long time or are ready to take part in village affairs, can become agencies that bring changes to some of the practices. The examples provided by my own experiences and those of Fong Yuk-mei show that, with opportunities arising, outside women can act as agents of change for both rituals and practices in the walled villages. In Chapter 1, I have mentioned the importance of understanding the dialectics between the society and agency. Bourdieu's theory of practice and Judd's concept of customs explain how individuals and society are an interactive process which individuals oscillate and at times [re]shape the current system. Borrowing the appellation of Bourdieu's practical kinship, Yan (2009) used

it in his own way to refer to the fluid and flexible nature of kinship in practice, not in opposition to official kinship. Here, I particularly mention the notion of kinship as we note that in the customary practice of walled villages, kinship has been an important force that pulls the indigenous inhabitants together, and an effective agent that maintain the structure and organization of the walled village community. The observably waning of kinship practice is in fact more a changing practice of kinship in the contemporary walled villages, when it is intersected with the external socio-economic changes that are experienced by different generations of walled villagers, and the coming in of outsiders. These create rooms for the continuing [re]adjustment and [re]negotiation of practice in gender relations and other customary practice.

Individuals therefore are agents that promote changes in the walled villages. The walled villagers who have moved out to the urban area, have also promoted changes in their practices. It is individuals' experience rather than the legal statutory alone that induce changes in gender dynamics in the walled villages. Walled village women, who were once bound by the patriarchal traditions and lack of opportunities for better education because of this patrilineal tradition, are now being able to share their thoughts and are being respected at home. For example, in Shan Ha village, S. Cheung told me that it is often his daughters who made their own choices, do their own things and 'instruct' him on what to do. In Wang Toi Shan, for example, some migrant parents have built their houses in order for their daughters to return to Hong Kong for jobs. They have changed the pattern that resulted in parents valuing their sons over their daughters. These daughters, some of whom I have grown to know well, have also told me that, these days, parents will listen to their advice. All of these changes are happening, however, solely at the household level and, as I reveal in the following chapter, many such women are merely visiting their own parents in

the walled villages and no one else. Even if they live with their parents, they are simply too busy to pay attention to walled village affairs.

I of course, continued to hear stories about how the old generation is still very 'stubborn', and still very much adheres to the traditional parental and patrilineal way of thinking. As I demonstrate in the next chapter, men still dominate the decision-making process at the para-village and village level. In one of the villages I have studied, walled village women are still shunned in village council meetings. They may have gained a space in which to exercise their abilities, and enjoy autonomy in the increasingly commercial economy, but they have not acquired it as a direct consequence of the 1992-1994 inheritance movement nor as a result of change in the government policy. The new generation of women has greater rights as a result of equal education opportunities provided to all, coupled with their own personal abilities and their increasing mobility in Hong Kong and around the world.

Nevertheless, we are witnessing a gradual transformation, not just in the rural/urban dynamics, but also in terms of what is entailed in the increasingly fluid and nuanced boundary between the two. As with the blurred divide, women's and men's roles and status are no longer as clearly defined as before in day-to-day life. There are also changes in the perception of women's participation in village affairs. The formation of the women committee shows women's involvement in walled village affairs. The composition of the women committee however, shows the fracture in terms of participation in the walled villages amongst age groups. With younger women moving out for study and jobs, it is the older women who are responsible now for organizing and handling village events.

The two villages, be they open to the outside or not, now have to bow down to outside influences. The once rigid gap that discourages understanding between the walled villagers and the urbanites has now gradually narrowed and the boundary has become indistinct. The blurring divide has promoted a closer affiliation between the two groups of people. It has also nurtured a commercial opportunity for village customs, especially cuisine, open to non-indigenous inhabitants. Yet these understandings are superficial and the concern is urban-directed, with the focus on commercial and monetary interests. What is happening in the walled village and if and how things have changed is still not the focus of urbanites, unless vested monetary interests are concerned. In fact, the transformation within the walled villages, both at the village and household level, demonstrates an interesting departure from their past structure and practice. It also raises an interesting question as to whether kinship and lineage is still significant in the study of rural villages as well as in the reality of the contemporary rural villages.

## **Chapter 6**

### **Role of walled village women across generations**

#### ***Introduction***

The longer I spent in the field and talked to the villagers, the more I saw the nuances and discrepancies that occur at the gender divide. Of the villagers that I talked to in the two villages, age and education play a significant role in determining their perception of, and the observed reality regarding, the division of labour. This is especially striking in the case of female informants. Class, though one of the determining factors identified by scholars who have studied Hong Kong (Johnson, 1975; R. Watson, 1985; Cheung, 2007), is not a significant determining factor of difference and division in the villages I study. This finding is in contrast to Rubie Watson's (1981, 1985: 168) conclusions regarding Ha Tsuen, that the "relationship is best understood not at the level of personal manipulation but as part of a complex of interlocking structures that create the conditions by which one class dominates another".

What struck me in my findings is that the extent to which a village is open to outsiders living among its people does not constitute a major factor in determining how strongly patriarchal influence remains intact. Before I began to conduct my fieldwork, my expectation was that women would be more confined in Shan Ha, the village which is still not open to outsiders. Patriarchal influence would, I believed, be much stronger in Shan Ha village. However, the findings suggest otherwise. Women are more active in terms of participating in village events than those in Wang Toi Shan, an open village. Furthermore, the extent to which the villagers cooperate is

also relatively different from Wang Toi Shan even though, in both villages, men are still dominant in terms of decision-making in village affairs. Older women in Shan Ha village enjoy equal opportunities and an equal share in terms of the division of labour. This is, in itself, directly contrary to the stereotypical idea of Chinese patriarchy - that men are superior to women. Women in both villages also receive profits obtained from renting and selling land, although they have different systems in terms of distributing the profits. In the past, it was unthinkable for walled village women, even unmarried daughters, to have a share of the profits obtained from any of the economic activities that generated income for the villages.

In what follows, I examine walled village women's status by looking at their role in the village and at the domestic level since passing of the equal inheritance law. I use a cross-generational comparison approach in order to understand the changes that have occurred in the villages. This allows for a comparison between the two villages to see whether being an open village or a closed village affects changes that occur in the village itself. At the village level, I look into the general situation of walled village women in communal rituals and village affairs. Questions such as the walled village women's mobility and opportunity in education are also addressed to see what changes have taken place. I then outline the gender power dynamics at the micro-level to see what changes have taken place in this sphere. I examine how gender relations are produced through ritual and domestic practices and how these have changed since 1994, if at all. By adopting a cross-generational comparison instead of the traditional lineage approach in looking at the village dynamics (with specific reference to gender dynamics), I also suggest that lineage is perhaps gradually fading in its importance in understanding the contemporary village life of Hong Kong, or even in China as a whole.

I analyse and highlight the gender dynamics across the distinctive spectrums of the walled villages starting from the village council meetings; then their ritual and social activities; and finally individual households and individuals' daily conduct, social activities and women's strategies in dealing with their spouses. I argue that gender dynamics work differently and in a contestatory way across spectrums, varying in respective villages, even though male villagers are still generally dominant from the communal to the macro level. This discussion substantiates what is shown in the early chapters. Without genuine change and the backing of government policy, together with the educating of villagers, the legal change in recognizing gender equality will not result in an overhaul of gender power relations. The existing policy that favours male inheritance undermines the legal change that favours gender equality of inheritance. What is presented here is a demonstration of the contradiction between the existing policy that favours male inheritance, and in turn, male dominance; and the legal change, that favours gender equality. Given that discrepancy between the law and customary practice, the decision of who inherits, therefore, is subject to individuals' preference, as previous works like K.S.Chan(2012) and S.Chan (1997) have already documented what happened before the change of law. After the change of law in 1994, the not much has changed, though women could exercise their rights by making over to their property to their daughters via a will and the daughter could be protected because of the new statutory.

At the micro-level, however, women and men may work in different ways according to the specificities of individual households and generations. The situation of the couple (non-indigenous married to an indigenous villager, for example) will also contribute to the discrepancies in terms of power relations at the micro-level. I



show that the study of households in the contemporary walled villages requires a generational approach rather than one which focuses on class, descent or group. The study also confirms that there is a significant gap in terms of power relations across generations.

Based on the data I have gathered from the villages, and comparing the open village of Wang Toi Shan with the non-open village of Shan Ha, I argue that from the villages' practice and their policy in opening the villages, traditions and customs are not static, as I have demonstrated in previous chapters. It cannot, therefore, be seen as a reason for the refusal to allow equal participation between the two sexes because of the discrepancies between the legal change and the existing policy. Furthermore, opening the village to outsiders does not necessarily accelerate the pace of change in gender dynamics within the villages. Rather, it is the exposure of individuals to outside influence that poses challenges to his or her relationship with the community. The reason for this, as I shall illustrate, is because those who move into villages are not particularly concerned with day-to-day matters in the village. This indifference is a result of many of these outsiders working in the city and being away from the village for a significant portion of the day. Leisure time is especially precious to them. If they have time, many of the outsiders will choose to spend it either at home and away from the hustle and bustle or, in contrast, to remain in the city environment. Most of them do not have the time to be concerned about village affairs. Thus, for the villages, changes in gender dynamics usually occur because of the change in demographics and could also happen through such agencies of exposure to the outside world such as schools, media, and school-friends. These are significant factors which alter gender dynamics between members of the younger generation.

### *Adopting a cross-generational approach*

The lineage approach has, as I mentioned above, been the dominant paradigm in the study of rural villages in the South of China for decades. Its influence is especially significant in the early studies of walled villages in Hong Kong. Freedman's seminal study of lineage and kinship in South China concluded that lineage and kinship are the most prominent features of Chinese society in South China. Research in subsequent decades also focused predominantly on discussions of lineage and history (Baker, 1966; J. Watson, 1982). In his article, J. Watson (1982: 589) argues that

Few who have delved into the intricacies of Chinese history would deny that kinship groups (based on patrilineal descent) have played a leading role in political and economic affairs. Lineages, clans and surname groups were found in all levels of society; members of China's ruling elite often used the bonds of common descent to serve their own political ends.

In regards to the old days, when the walled village community was still very secluded and most of its inhabitants engaged in farming or fishing for their livelihood, and especially when patrilocal and virilocal residence was still being practiced, lineage and kinship were very important in understanding the rural villages in Hong Kong and South China. However, in the process of my fieldwork, the differences in gender relations across generations struck me as the key issue that allows for an understanding of Chinese society and culture in the indigenous villages in Hong Kong. This is especially true during this particularly significant period when the villages are under constant pressure to change as infrastructural development increases. Studies in the past on South-Eastern China's villages, including those in

Hong Kong, focused either on lineage and descent (Baker, 1968; Freedman, 1958, 1966; J. Watson, 1975), or on class (R. Watson, 1981), to arrive at an understanding of Chinese society and culture. But rapid urbanization and the gradual blurring of the urban-rural divide have put these studies under scrutiny - especially when class divisions have become less clearly delineated in the villages. As my study shows, descent and lineage still play an important role in coming to an understanding of Chinese culture in the Hong Kong villages. However, with the newest generation moving out and focusing more on their activities in the city, and when both women and men are more often working and studying outside the village, the notion of lineage has become inadequate as a tool by which to explain the complexity of relations at the village level and even within households themselves. The critical factors, as my fieldwork shows, are generational differences. Analysing gender dynamics across generations has therefore provided a more pragmatic approach to learning about contemporary indigenous inhabitants' ways of living. In the later part of this chapter, I discuss how generational differences reflect the changes within the community with reference to the gender dynamics of women/daughters; mothers-in-law/daughters-in-law and men's and women's relationship of different generations

### ***Changes in gender relations in the two villages since the inheritance movement***

In the past two decades, much has changed in the walled villages. Last chapter has discussed why and how changes have been taking places. In the coming sections, I am going to lay out what are the changes and the status quo that have been going on the communal as well as the domestic levels in the walled villages.

### ***The village council***

In Shan Ha village, the village chiefs are male and those who attend meetings are also predominantly male. Occasionally however, female villagers attend. Some represent their sons overseas; others, like Fong Yuk-mei and Cheung Fung-ning, who are regular helpers and organizers in major village events, can frequently be found in village meetings. Women are allowed to participate and express their opinions. I have attended several village council meetings in each village. In Wang Toi Shan, women's role is almost non-existent. The only woman who is there is the *amah*, responsible for tea and coffee. Otherwise, all the village business conducted in the meetings, and the decisions made, are carried out without women's participation or them voicing their opinions.

In separate hamlet meetings, like the second *fong* of Wang Toi Shan, women may attend if their sons are overseas or not living in the village. They are there merely to listen and report back to their sons or husbands. They will also ask questions posed by their male members but very often do not talk a lot during the meetings. Some, like Fong Yuk-mei in Shan Ha, who is heavily involved in helping out in village affairs, will be present and will speak up if she has concerns. This does not, however, happen very often.

The sex composition of the meetings in both Wang Toi Shan and Shan Ha should be put into context since in Shan Ha, a number of men have moved out of the village or migrated overseas and only older women are left in the villages. Women, therefore, have to play role of representatives of the households. Similarly, like the second *fong* of Wang Toi Shan, women are allowed to attend the village meetings because a number of men have moved out. In the important village council meetings

of all the hamlets for Wang Toi Shan, however, women are not encouraged to attend. The discretion placed on women suggests that generally women are still not encouraged to take part at the decision-making levels and most of the time, even if they attend the meetings, they are not decision-making ones even though they are allowed to voice their opinions. And even in important religious rituals, men are still in charge of the important religious activities in the walled villages, though we see women have become active participants and at times, co-organizers of events.

### *Religious Rituals and Events in the two villages*

Rituals and events can be used as a way by which to approach an understanding of gender relations (Al-Ali, 2002). In her study of the Bosnians, Al-Ali (2002: 249) suggests that rituals ‘assert belonging to a community and identity’. Public rituals are a way of strengthening a group’s distinct identity and otherness (Baumann, 1992; Al-Ali, 2002). The clear differing participation between sexes in ritual activities is considered to be a way to reinforce, in Bourdieu’s terms (1977: 89), ‘the taxonomic principles underlying all the arbitrary provisions of this culture’. Pollock (2004) points out that religious rituals can be used as a way in which to establish gender early in life or to reaffirm adults’ gendered existence – an example being the Jewish *bris*, a celebration for new-born boys only.<sup>65</sup> However, rituals can also serve as a function to problematize or [de]stabilize gender relations. In *Performing Islam: Gender and Ritual in Iran*, A. Torab (2007: ix) explores how “gender views, ideas and beliefs were being formed or projected through ritual activities”. A. Torab (2007: 1-2) argues that “...through ritual, and the ambiguous and metaphorical language of

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<sup>65</sup> Pollock, K. (2004) *Gender Rituals in Encyclopedia of religious rites, rituals and festivals*. New York and London: Routledge (Taylor and Francis), pp.211-217.

*ritual, gender ideologies can be at the same time projected and renewed, yet also destabilized and ridiculed*". Pollock (2004) also chronicles rituals like male menstruation, a gender inversion ritual in Western New Guinea that can be seen as an act to nullify women's potential superiority or women's natural power through their sexual organs.<sup>66</sup> Rituals, as discussed in earlier chapters, also serve as a way to cement ties and preserve the sense of kinship and belongings. For example, encouraging the villagers to attend the tombsweeping events by giving out financial incentives is part of the way to ensure that the villagers will not forget where they are from. Also, the *Jiao* festival in Shan Ha is also a way to preserve the customs and seal the ties of all those villagers, whether they are overseas or they are still in the village. Villagers from afar returned to the villages to celebrate the *Jiao* festival, apart from praying for prosperity and safety of the village, it also serves as a reminder of their roots.

In this section, I look at the public rituals and events organized in the villages and how gender dynamics are being [re]produced through ritual activities. By describing and exploring the two villages' practices in public events such as festivities, marriage, funeral and rituals, I explore gender relations and roles, and how, through rituals, gender relations are [re]negotiated and [de]stabilized through time and changes within the structure. Rituals and festivities are key to knowing the socio-economic, cultural and political process, especially the belief and values that bolster gender constructions at the level of everyday practice in the contemporary walled villages - particularly as the villages are undergoing dramatic changes as a

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<sup>66</sup> Ibid

result of their boundary with the city becoming blurred and life within the villages becoming more complex.

### *Celebration of events and festivities*

The traditional walled village model of gender relations to be most explicitly expressed and emphasized is the importance of sons in a family. The belief that a son is more valuable than a daughter can clearly be seen in some of the practices in the two villages. Even though Shan Ha village, as a *weitou* village, may have different practices from the Hakka village, they reveal the same pattern of male-centredness and traces of patrilineage.

Shan Ha village still celebrates the birth of a baby boy with the lantern-lighting ceremony (*hoi1dang1* 開燈) or (*dim2dang1* 點燈). Every year, the village counts the number of baby boys and will then select an auspicious date around Chinese New Year in which to celebrate the future of their lineage with the lantern-lighting ceremony. The birth of boys is still very much the main concern of Shan Ha village, even now. This can be seen in the comments of Cheung Muk-lam, a respectable man who was also a district councillor contestant. He stated, during the Chinese lantern festival, which was on the fifteenth day of Chinese New Year, “This year we celebrate the birth of 11 boys (*naam4ding1* 男丁). We are hoping that the young men in the village will work harder to bring us more hope in the future”. The speech suggests that expectations are placed on males, demonstrating how villagers persist in believing that the male is the only legitimate continuation of the family line.

However the format has changed from the past practice. Most significantly, the one who hosts the ceremony now is a Taoist priestess, since the nun (or the Taoist priestess) is the hostess of the temple, she is the one to lead the ceremony. In the past, it was by Taoist priest or elders. Existing literatures have discussed the participation of women in religion, for example, Babock (1990) has chronicled women's participation in a ritual, sometimes they even control the rituals logistics and its preparation. Mobley-Tanaka(1997) has also mentioned that a lot of ethnographies mentioned women's presence in the rituals, they however, rarely call it as a form of participation. The evidence of the Taoist priestess hosting is more a necessity or a practical concern rather than recognition of the equal ability of the two sexes in presiding religious events. Because no man wants to look after the temple in the middle of nowhere and it is only this priestess who is willing to take over the management of the temple. In so doing, she becomes the important communication medium between the walled villagers and the deities. The active participation of the walled village women in some of the religious festivals, together the priestess who is in charge of some of the religious activities suggest that even though the phenomenon is more of a practical concern, women are gradually accepted to be the active parts in the rituals.





Figure 6.1 Photo showing the 11 lights, representing 11 new born baby boys.



Figure 6.2 Shan Ha villagers in action, hoisting the lantern at the Lantern Lighting ceremony.

In the past 20 years, which is around the time since the inheritance movement, major socio-economic changes have taken place that alters some of the traditional practices in the walled village. For example in Wang Toi Shan, whilst Hakka villages do not celebrate the birth of a son like the Shan Ha villagers, they used to give pork to the houses that have had sons, celebrating with great fanfare and

organizing burning firecrackers. No such celebration would be organized for a new-born daughter. Nowadays however, they give money to a new-born son and also a new-born daughter. In some families, they organize Full-moon Celebration for both new-born sons and daughters. These days, new-born children, regardless of their sex, enjoy a big feast when they are a hundred days old. It is called the Hundred-day Feast.

Also, in Wang Toi Shan, there is also a practice called pork sharing (*fan1zyuljuk6* 分豬肉), which takes place in the autumn, in spring and at the end of a lunar year. The pork is given only to males. Some of the *fongs* perform the ceremony with money instead of pork. They also give out money called ‘Money for Rice and Wine’ (*zau2mai5cin4* 酒米錢). This is a tradition that has existed for a long time, in which money is given to the males at the time of Chinese New Year. In the past, the villages were very poor and, in order to allow the villagers to have more money to prepare for the festive season, they would give the money for rice and wine offerings from the account of the ancestors (*aa3gung1* 亞公) to the male villagers. But now, it is given to everybody, male and female, since the late 80s or the early 90s.

During the two annual tomb-sweeping festivals, known as the Spring and Fall worship (*ceon1caulji6zai3* 春秋二祭), both villages celebrate with flare and fanfare. Many villagers who have moved overseas will return to remember their ancestors and pay tribute to them. The Fall Tomb-sweeping festival is especially important for Shan Ha, and both Tomb-sweeping festivals for Wang Toi Shan. Women, however, play very different roles in the two villages. Even though men still

play the central role in the rites, women are more active and take a more important role in helping out during the ritual, as can be seen from the photographs below.



Figure 6.3 Shan Ha men and women taking part in the Tomb-sweeping event in Hong Kong.



Figure 6.4 A Tomb-sweeping event with Shan Ha villagers in China.

Changes in the events that follow the Tomb-sweeping festival can also be seen over the past 20-30 years. In Shan Ha village, there is a practice called ‘eating at the head of the hill’ (*sik6saan1tau4* 食山頭). The practice was adopted because, in the past, people were required to prepare food at the foot of the hill (they call it ‘head’) so that once the male villagers had finished Tomb-sweeping, there would be food ready for them. In the past, women were not allowed to go out unless it was their family’s turn to cook for the male villagers. Today, female villagers are not only allowed to tomb-sweep, but they also take part in this event. The reason for this



is that so many male villagers have moved overseas, and they therefore need people to prepare for this annual event. In regard to their belief, these are important rituals because playing tribute to the ancestors can help secure their own wealth, health and peace in the village.

For both villages, the custom of giving out cash in red envelopes to their descendants after the Tomb-sweeping event is still practised. The custom in Wang Toi Shan is covered by local newspapers every year. Both male and unmarried female descendants receive a red envelope after Tomb-sweeping. The amount is the same for both sexes but varies from one tomb to another according to its distance from the village.



Figure 6.5 Wang Toi Shan: Distributing 'red envelopes' containing HKD100 to the Tomb-sweeping villagers.



Figure 6.6 Shan Ha villagers: 'eating at the head of the hill'.

Women in Wang Toi Shan play a less active role in worshipping the ancestors. The rites are performed by men, with women not allowed to assist in any way due to the belief of the villagers in Wang Toi Shan that public rituals should be performed solely by men. Women, therefore, merely attend but do not take an active role in the two major Tomb-sweeping events. Even though they help out occasionally, unlike in the past, they cannot touch the materials used to celebrate those activities.



Figure 6.7 Male villagers in Wang Toi Shan leading the rites.

When it comes to the preparation of the customary festive events, these days, men and women work together in both villages. In preparing the feasts for post-Tomb-sweeping in Shan Ha, male and female villagers work together, with men usually acting as the chefs. This is understandable as the cooking utensils are relatively heavy in their open kitchen. In the case of Wang Toi Shan, it really depends on the event: during the making of the pork casserole (*manIzyuljuk6* 炆豬肉), it is the men who take care of the whole cooking process; whereas in the wrapping of rice dumplings for the Dragon boat festival in June, it is the women who are in charge of the preparation.

During the first meeting of the Jiao festival, at which the members of the festival are nominated, there was a discussion about choosing who was to lead the ceremonies. The villagers considered whether they should call for male Taoist priests or Taoist priestesses. The point was made that while males would be more capable of performing a more solemn ceremony, a female would not be as competent as a male, though the price of hiring her would be cheaper. In the end, even though a Taoist priest was chosen for their major events in the Jiao, it was already been a major breakthrough as the idea of a Taoist priestess leading the Jiao was almost unthinkable ten years ago.

### *Marriages and Funerals*

In events such as marriages and funerals, today, neither village has a consistent form of getting married. The younger generation, for instance, may not adhere to the traditional form of marriage in each village. In the past, in Shan Ha village and in Wang Toi Shan, for example, marriage could be either arranged by parents or

introduced through matchmakers. In contrast to R. Watson's (1981) finding in Ha Tsuen, that the rich married their friends and the poor married strangers, there is no clearly identifiable policy for marriage between classes. In Shan Ha, for example, whether one is rich or poor, one may marry either through arrangement or one's own choice. Fong Yuk-mei told me that when a walled village girl married into Shan Ha, she would need to wear a green skirt and a red top. For someone like Fong Yuk-mei herself, who did not belong to any walled village but came from another part of Hong Kong, if they married into walled villages, they would wear a two-piece wedding costume with elaborate decoration (*kwan4kwaa2* 裙褂). The walled village people call it cultured dress (*man4ming4kwan4* 文明裙), which was worn by city people in the past but is rare today. Bride price varied according to each family in the two villages. In Shan Ha, for example, the taller and bigger the bride, the higher the bride price would be. This was because a stronger bride is useful in an agricultural economy.

For an even older generation, such as those who are above 70 years old, they told me that they would not have had any opportunities to meet boys because the wedding arrangement was strictly organized by their parents. Before they got married, the bride-to-be would gather together with her girlfriends and relatives in the girls' dorm (*nei5zai2uk1* 女仔屋) and, whilst they were still single, would sing folk songs (*coeng3go1zai2* 唱歌仔) in their own dorm. They would sing and cry (*huk1* 哭), a ceremony that lamented their leaving of their natal family.

These days, however, younger generation villagers marry in different ways. In Wang Toi Shan, for example, couples who marry will usually still follow some of the traditions. An example of this is going to the ancestral hall to worship their

ancestors, performed after they have gone to pick up the bride at her house. Villagers can choose different ways to marry. Some, who are Christians, will not enter the ancestral hall but will marry in the church. In Shan Ha village, for example, Uncle C. Cheung's son married in a Muslim tradition and then, in the evening, they had a basin dish in front of the ancestral hall to celebrate their weddings. Some, like Tang Yong-lum's younger brother, still marry in a relatively traditional way. The bride, however, no longer wears the traditional Hakka wedding dress during the wedding, but instead the typical Chinese two-piece wedding costumes (*kwan4kwaa2* 裙褂).

Weddings and funerals are associated with a transformation, in terms of custom and practice, within a community. In the New Territories, the exposure of villagers to the outside world through urban encroachment, overseas travel or the following a new religion has altered the practice of these important events. Villagers also accept changes among their family members. Customs, gender practice and even gender itself, in this sense, are not static. They are negotiated, contested and transformed through time and space. As A. Torab (2007: 1-2) contends,

...through ritual, and the ambiguous and metaphorical language of ritual, gender ideologies can be at the same time projected and renewed, yet also challenged, destabilized and ridiculed. These processes, it is argued, reveal that gender itself is inherently unstable and ambiguous, providing possibilities for self-expression, innovation and incremental change in gender constructs.

### ***Status Quo in the two villages since the inheritance movement***



The inheritance movement brings a new chapter in the legal statutory of walled village women's inheritance rights. Drastic changes could be witnessed in a number of aspects since the inheritance of movement.

However, there are still some customary practices, and decision-making in the village affairs that have remained relatively static since the inheritance movement. For example, in terms of the highest decision making levels in the walled villages, men are still dominating the scene even though women are seen increasingly participating in organizing and supervising village activities.

#### *The village council*

At the village council, which is the highest decision-making body of a village, much remains the same between Wang Toi Shan, the open village, and Shan Ha village, in terms of composition by gender. Of the six villages in Wang Toi Shan, among the twelve village chiefs, six are chosen from the indigenous villagers and six represent the residents. However, all the resident representatives are indigenous inhabitants. In Shan Ha village, there are four village chiefs, all of whom are indigenous inhabitants since the village does not allow outsiders to rent or buy any houses within the village compound. All of the chiefs are male. No women attend the village council meetings in Wang Toi Shan. If villagers have problems, they will either tell their husbands, who can reflect this in the village council meeting, or go to tell the district councillor, Tang Kwai-yau, who was a village chief and is now one of the chairmen of the Tang clansmen's association. Women are not encouraged to attend the meetings. There are no explicit rules barring them from going but it is understood that women are not

welcome. Thus, there is no representation from women, let alone the possibility of there being a village chief who is female.

In Shan Ha village, even though women can participate in the events and discuss with the village chiefs and other village men on village issues, as I mentioned before, decision-making is still dominated by men.

### *Celebrations of events and festivities*

In both villages, some traditions are still strictly kept. For example, in the Jiao festival in Shan Ha village, a spectacle which occurs once in a decade and is performed in order to pacify the ghosts and spirits so as to keep the village calm and safe, women play no part in organizing the event. Even though women are allowed to take part in preparatory meetings early on in the process, the organizers and decision-makers are still men. Women who are menstruating are not allowed to go out on certain important days before the actual event as they are considered unclean.

In Wang Toi Shan, there is a festival called the Winter Eating Festival (*hon4sik6zit3* 寒食節) which is exclusively for elderly men. There is no particular reason why there is one for men but not for both sexes. As they told me, it just happened. Some of these traditions which still adhere to the patriarchal tradition still pertain suggest that celebration of patrilineage and patriarchal practices and customs are still important belief (K.S. Chan 2012; Cheung 2007)).

### *Funerals*

The practice of funeral rites has not changed substantially. How elaborate a funeral is, in both villages, relates more to the financial situation of the villager than to the class or the sex of the deceased these days. For a funeral, both men and women may participate in the event. Daughters and sons are expected to be there for the entire funeral, if they can. However, sometimes, daughters and sons may not be able to attend the funeral because they are overseas. A typical Hakka funeral will last for three days. The night before the funeral ceremony, they will take the body up to the mountain, and will then use a living rooster to revoke the spirit of the dead person. On the same day, they will prepare for the funeral itself, during which a drama and a ceremony will be conducted. The following morning, all members of the family, this time including the married-out daughters, go together to the ancestral hall to ceremoniously place their parent's placard on the altar and then take him or her home. This is actually the only time when a married-out daughter may enter the ancestral hall.

In Shan Ha, again, not much has changed regarding funerals. Weitou has the crying funeral culture in which women would cry to lament the loss of their beloved ones (哭唱). These days this practice has almost disappeared. The basic funeral rites, however, still remain very much the same. Furthermore, how elaborate the funeral is, also depends on the status and wealth of the person in question.

#### *Daily practices in the village*

In Wang Toi Shan, women are still not allowed to enter the ancestral hall on a day-to-day basis. It is only when a woman has married into the clan that she may enter the hall. A daughter has the chance to enter the ancestral hall when she gets married.

This signifies her departure from her own clan, to that of her husband. In Shan Ha, however, since their ancestral hall has been listed as a heritage site by the Hong Kong government, anyone may enter. This practice is still strictly observed at Wang Toi Shan and, for Shan Ha, it is not possible to know since the ancestral hall is now under the government's heritage scheme. Some scholars have argued that Chinese women are more active and outgoing than one would assume (Cheung, 2007; Johnson, 1975; R. Watson, 1985), while others have found that indigenous villagers are still very conservative and women's rights are still restricted in some areas (E. Chan, 1997; S. Chan, 2001). Cheung's (2007) study in Da Shu village and R. Watson's (1985) study in Ha Tsuen both conclude that women are more active and more outgoing than outsiders might think. Women in Da Shu village tend to voice their opinion and have an influence on the decision in the village by forming a clique to discuss issues. On the other hand, E. Chan (1997) and S. Chan (2001) reveal that in walled villages, women are still restricted in some inheritance issues (E. Chan, 1997) and segregated in the ancestral hall (S. Chan, 2001). R. Watson (1986: 628) observes that women in Ha Tsuen were excluded from participation in "most of the formal aspects of lineage and community life and they are not involved in decision-making outside their home".

***Gender at the intersections of class, kinship and generations in rituals and festivities***

Communal and public ritual practices provide ways in which to understand how gender dynamics are [re]produced in the social system. The changes that occur at the religious and festival events reveal, in certain ways, the declining importance of

patrilineal practice. While the differentiation of gender roles is still obvious in some of the communal rituals, such as the Lantern Lighting ceremony in Shan Ha that signifies the importance of male offspring to their community, women's increasing role and participation in these public rituals is also salient. In Wang Toi Shan, the celebration of both male and female newborn babies and the shared responsibilities in some of the ritual activities provide clear evidence of the changing gender relations in the walled village community. We also witness what is known the "feminization of rituals" in Shan Ha village. For example, a nun is now in charge of their home temple of Shan Ha and she is the master who hosts the lantern lighting ceremony for the Shan Ha villagers. Even in the *Jiao* festival, one of the events the *qilin* eye-opening ceremony (*kei4leon4 hoilgwong1* 麒麟開光) was also hosted by the nun in the home temple. One of the reasons for this, however, is that there is no one who is willing to take charge of that temple, which is very isolated.

Since the late 80s early 90s, Shan Ha and Wang Toi Shan have been undergoing dramatic social and economic changes, in particular Wang Toi Shan, in opening itself for rent and sale. With the exodus of the villagers and the in-migration of the urbanites and minorities and the gradual blurring of rural/urban divide, many ritual practices have been simplified to suit the modern society, and the practice of the younger generation. For example, the younger generation, both male and female put attending rituals and festivities at the last priority and they will not be there if they are in the mood or available. The disinterestedness of the younger generation villagers also gives opportunities to the older generation of women to be more active in helping out at festive events or rituals. From interviews conducted in the two villages, it is evident that those villagers who are over 50, especially the septuagenarians, believe that rituals and festivities are important especially some of

the rituals like worshipping deities which are essential to perform in order to protect the village, their households and themselves. Villagers who are between 30 and 49 tend to believe that rituals are important to protect the village and to cement ties. They are also willing to help organise those events. This is especially the case for the migrants from Shan Ha village who believe that rituals and festivities serve the function of maintaining social cohesion. Those who are between 18 and 29, however, generally believe that rituals are the unique customs of the villages and they will only participate if they have time or energy. The older generation believe that kinship ties are important to keep the tradition and customs of the villages alive. Even for the younger generation of 30-49, they also believe that this is important to continue.

From the ethnographic account of the two villages, it is evident that gender dynamics are shaped by the categories of differences of class, kinship, and generation, affected by the changes within the walled villages, and contested and reinforced each other. The inheritance movement in this sense may not be a direct factor contributing to the dramatic changes in the two villages. It is more a factor that intersects with the socio-economic changes taken place inside and outside the villages that transformed the seemingly impregnable and exclusive community.

### ***Gender relations at the Household level***

#### *Conceptualizing the household*

Studying the household and its practices is crucial for gaining an understanding of the gender dynamics within a community (Al-Ali, 2002; Judd, 1994). Judd (1994:

164), in her study of rural North China, says, “[h]ouseholds have been a central concept in discussions of rural China since the early years of the rural reform program”. In fieldwork related to gender relations, scholars place emphasis on the study of the household as it can reflect idiosyncrasies in the dominant mode and ideology (Al-Ali, 2002; Humphrey, 1992; R. Watson, 1981).

In analysing the micro-level dynamics of social practices and cultural and gender representations in everyday life in the villages of Wang Toi Shan and Shan Ha village, the dominant mode of patriarchy, which is manifested prominently at the level of village councils, reflects varying practices in individual households. Scholars such as Johnson (1975), R. Watson (1984, 1985) and Wolf (1968, 1972) argue that patriarchy plays an important part in many households; yet, at the same time, women develop survival strategies and are often able to manipulate situations to their advantage. At the household level, power relations are more fluid and unstable than at the macro-level. The dynamics of some families, as I have discovered, very much reflects equality in terms of power relations; others, as I will show, are still rooted in the traditional mode of male dominance in the family - this being more evidently rigid in terms of relations between individual family members.

As N. Rao (2006: 186) argues:

Current thinking within gender analysis would tend to argue that a rigid separation of male and female roles and spheres of decision-making is too mechanical and simplistic, the household being an arena of both cooperation and conflict (Sen, 1990). While gender asymmetry in resource control and use does persist, this is being constantly contested and renegotiated in view of changing contexts, be it resource scarcity, commercialization, the growing profitability of the non-farm sector or cutbacks in state funding. Individual

men and women are not free agents, but rather embedded in a social milieu made up of a host of family and kinship ties, apart from interactions with the markets and state systems.

Similarly, in the two villages I have focussed on in this thesis, the cash-orientated economy, together with the urban-centred assumption, has contributed to a dramatic change within the walled village households. Kinship and lineage is only important in terms of its relation to vested interest in the villages. It comes to its function when it is about the allocation and distribution of profits. But the kin relations are waning as more villagers who can afford having a life in the city have moved out. Villagers, in particular the younger generation, have now become accustomed to the city way of living as most, if not all, have received an education comparable to that of their urban counterparts. They have been opened up to more opportunities than their parents were in the cities. The gradual merging of the rural walled-village life and the urban city life, has facilitated not just the physical mobility of the villagers but also a degree of flexibility and adjustment at the household level.

The old generation villagers have been trying to use the different strategies like paying money for tomsweeping, as mentioned earlier, to attract younger villagers to come to attend ritual activities. The old generation of villagers as well as the younger villagers also lament at the waning of kinship ties. Cheung Fat, an overseas Chinese from Shan Ha who is now residing in Netherlands, said that kinship is the most important thing that distinguished walled villagers from city dwellers. This is why he will bring his son and his wife to return to Hong Kong for most of the rituals and festivities. A number of overseas Chinese in Shan Ha are more concerned about the kinship than those who are living in the villages. Some



worry that kinship may be deteriorating, as it is evident from the number of people and the age of the villagers in organising those activities. In Wang Toi Shan, however, this is not the case as very few overseas Chinese will come for only the rituals activities, especially the young generation.

### *Overview of families and households in the two walled villages*

My fieldwork in the two villages relates to a period in which both have been undergoing a dramatic transformation since 1994. Rapid urbanization of the New Territories and a diminishing population has forced Shan Ha village to open up for rent and sale. As for Wang Toi Shan, the construction of the national rail has affected the area and other villages. The period of my fieldwork bears witness to the changes that could alter the culture of the villages in the long term. In the process of talking to the villagers in the two villages, I observed that generation gaps also mark differences in how villagers perceive the role of women and, furthermore, how research into the lives of the villagers has allowed me to explore three generations of indigenous inhabitants and to analyse and account for the changes that have occurred – and are continuing to occur - within each village community. The changes amongst the three generations in terms of gender dynamics within the household demonstrate a change in the perception of gender roles within the two villages.

However, in terms of the division of labour, one can nevertheless find relatively consistent practice in the households and families among the older generation in the two villages. Among the elderly men and women I talked to in the two villages, household practice was more uniform in Shan Ha village than in Wang

Toi Shan. In Shan Ha village, both men and women needed to work on the farm and in the household. The distinction between domestic and outdoor work was not apparent due to farms being just outside the home. Both husbands and wives needed to work and usually the mothers-in-law would take care of their children. The 79-year-old mother of Hung Kam-fung recalled and said,

I am a very lucky woman. I married a very good man. Before I married him, I had no idea what he looked like. When I first married him, I didn't know how to do housework because all I needed to do when I was not married was to catch crabs and fish. They asked me to cook rice. I used twelve bowls of water to cook twelve bowls of rice. They were scared to death. Haha! When I became somebody's wife, I did everything, plowing, sowing seeds, collecting the produce when it was ready to go to the market. My husband also worked with me.

Cheung Kwok-keung's wife, a septuagenarian from Shan Ha village, also told me that she and Cheung worked together on the farm:

I married him after the Japanese invasion was over. We both needed to work. We didn't make a mark on who did what. We did all the work together. Now, especially, since I can't walk that well, he (Cheung Kwong-cheung) does all the housework.

During the period in which I was visiting the village, every afternoon, if the weather was fine, the old ladies, which included Cheung Kwok-keung's wife, would sit along the alley that led to the village. Cheung Kwok-keung would cook in the house, while occasionally popping out to join our chatting session. Since his wife had problems with her legs, Cheung Kwok-keung would take care of the grocery shopping most of the time.

Very often, those with in-laws usually receive help from them. An example is Cheung Muk-lan:

After I married my husband, I had to work for a living. First, I raised pigs to support my family and then worked in the market and fried vegetables for ten dollars a day. In the past, I still had my mother-in-law, who would cook and take care of the household.

If the in-laws are no longer around, couples rely on the eldest child to look after the younger ones. Thus, the eldest one needs to take care of the household chores when they are very young, (say eight or nine years old). This was the case for May Tang, who recalled her now-deceased parents' life in the village:

We have nine siblings. I am the third. *Ah ba* (father) and *Ah ma* (mother) used to work very hard. Hakka women work very hard because Hakka men are not that hardworking. My father also went to the field and played *mahjong*. We needed to help with farming as well. In the 60s, we no longer farmed. We switched to raising pigs and pigeons and I helped out. The younger brothers didn't have to help out with the farming. They later started their restaurant business overseas, in the 60s.

Among villagers in their thirties to fifties, practices vary within and across the villages. Some women, like Anita, Tang Ying-nam's mother in Wang Toi Shan, and K. Cheung (pseudonym) in Shan Ha village, stay home to look after the household. Others, like Judy Tang (pseudonym) and Cheung Muk-lam's son and daughter-in-law, both go out to work to earn a living. Some of them, like Judy Tang, have a maid to help, while others have their in-laws to look after the children and do the housework. Judy Tang (pseudonym) in Wang Toi Shan has a maid to look after her children while she and her husband go out to work. Some of them can make choices about whether they work or not, like Kay Tang's mother. Some are required

by their husbands to look after their children, like Anita. Others look after the children and work at the same time.

In both villages, the younger generation will also ask their own mothers to help in looking after their children. For example, Amy Tang (pseudonym) who lives in Wang Toi Shan with her mother and her father after they got married has her mother looking after her son, who now attends primary school. For the first thing, she finds me more safe to have her own mother looking after her own son. In addition, since she lives with her mother, it is more convenient to have her mother looking after her son, Which also allows her to save money.

In Shan Ha village, of all the couples I came to know, many rely on their in-laws to look after their children. For those who have moved out, they usually hire a maid. There are some situations where men do not work and women go out to work to earn a living, like Maggie Tang (pseudonym) and her twin sister's family. Maggie's mother is the sole breadwinner of the family. She works as a janitor, earning a very meagre living:

He has not been working for a long time. My mother asked him to go and find some work to do. He refused. He kept telling my mother that he has 'Emperor destiny' He said that the fortune-teller told him this. My mother had already covered all his expenses. He always borrows money from my mother. When my mum asked him to return the money, he then kept telling my mum how much he had paid in the past.

Stories about village men not working and relying on their wives for expenses are plenty in both villages. Mary Cheung, a villager from Shan Ha village, told me that her husband, also a walled villager, never did his work properly and was

always drunk. “I kept the money under my control so that he wouldn’t waste all the money on drinking”. Mary owns a restaurant in Sydney, Australia, and runs it by herself.

For the younger generation (those below 30) who are married, their practice resembles the generation of those in their 30s and 50s. Those who are married sometimes depend on their parents to look after their children, while some hire maids. Hiring maids has become a popular way to resolve the child-rearing and domestic issues in the past two decades. Others may have wives to look after the children. Those who are not married and live with their parents may sometimes help out with the housework. Most of the time, however, it is their parents (both fathers and mothers) who help out. Betty and Jennifer Siu, whose mother, an indigenous villager who married an outsider and lived within the Tang’s village compound in Wang Toi Shan, do not really need to take care of the housework. “We both need to work and study,” Jennifer said. “My sister needs to work until late and go to school at night. We have no time to do housework. My mum and dad look after us”.

According to my informants, traditional Hakka culture favours women for work. In Wang Toi Shan legend has it that the village mantra for how men and women should behave in a house is that “a man should smoke water pipes and be a young master; a woman should go to the farm, play *mahjong* and work. Men sleep until noon. You (women) shouldn’t bother about what I (a man) do and when I come home. My ancestors feed me and I collect extortion from my turf (a form of racketeering)”.<sup>67</sup> Contrary to the belief that women are confined to housework and

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<sup>67</sup> In Chinese, it goes like; 以前橫台山，食水煙，做少爺，女人耕田，打牌，幹活，男人睡到日上三竿，你(女人)出去做，唔好管我，唔好理我幾時番圍村。食太公，收陀弟就得啦！

men work outside or women are engaged in invisible labour such as household chores, they are actually actively involved in contributing to the household financially. Sometimes, they become the pillar of the family because their husbands have been too contented to bother with work. This also happens in Shan Ha village where it is evident that some of the village men are what they call ‘hooligans’ or ‘good-for-nothings’. When I asked my informants about the usual behaviour of the male villagers in Wang Toi Shan, they laughed and said, “Men in Wang Toi Shan don't show up until 3pm”. In Chinese, it's *saam1dim2bat1lou6* 三點不露<sup>68</sup>.

Other indigenous villages also exhibit this phenomenon where men, who can afford to be complacent because they can bank on the money from the *tsos* and *tongs*, refuse to work and instead spend time on other activities such as gambling, loitering and drinking (Cheung, 2003).

Inter-generational relationships involve a nexus of complex factors. The exposure of villagers to outside influences as the old village education system - the village schools (*cyun1haau6* 村校) - ground to a halt; the emigration of villagers overseas; and the gradual blurring of the rural-urban divide - all have complicated inter-generational relationships. It has also given rise to a gap between the generations because of challenges imposed by outside influences. These, in turn, affect the social systems and inter-generational relationships within the villages.

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<sup>68</sup> The Chinese saying 三點不露 is a pun used to mock those male villagers who can only be seen at 3 o'clock in the afternoon. The phrase is also used to suggest those movie stars or soft porn stars who perform nude scenes without showing the genitalia and the nipples (The three intimate parts (points) of the body).

The inter-generational relationships among the three generations exhibit a variety of marked differences. The older generation very often requires its children (those who are in the 30s to 50s age range) to help out a good deal in their work, as many of them were farmers. They need their children to either work on the farm or to help raise farm animals such as pigs, chickens or ducks. Children of that generation may have been expected to leave school in order to help their parents. As Judy Tang (pseudonym) informed me,

My parents have nine siblings. My father is a compulsive gambler, and he has not always recouped his losses. My sisters are good but my brothers are bums.... My elder sister quit school at primary six to support her younger siblings with their studies.

Generally, children are not defiant in the face of their parents' demands. Boys are relatively more cherished by parents than are girls. Kay Tang's mother, a 55-year-old walled villager from another village who married into Wang Toi Shan, told me that "It's OK if you have only one son. But it was not OK if you didn't have a son at the time when I married into the village".

The inter-generational relationship between the villagers in their 30s and 50s, and those in their 20s and under, exhibited a marked difference from the inter-generational relationships between the two older generations. Generally, today's children in the walled villages and borne from the walled villages parents are given more freedom to do as they please and possess more opportunities to pursue their education. Here, I refer to children and parents who live in the walled villages as well as those who have migrated to the urban area. And those who have more freedom are children of the younger generation that range from 1 year-old to those in

their early 20s and some in their late 20s. Like other parents in the urban areas of Hong Kong, the fathers and mothers spend more time with their children. The change of men sharing more responsibilities suggests a change in the clear definition of gender role. It also suggests that women can also have their own lives outside the married life and the villages. Also, the emerging trend of giving equal opportunities to both genders of children suggests a change in the idea of educating children differently based on their gender and their values to the household from the past.

Furthermore, men are more ready to take on the responsibilities of both work and looking after their children. Tang Chi-shing (pseudonym) in fact takes his two sons to school every day and takes care of the household chores. He has work in the village and it is a flexible job. So he takes on the role of looking after the children while his wife works in the city. The more flexible division of labour in terms of household responsibility and the way in which men are ready to play an important part in childrearing also suggest less clearly defined gender roles in the reality of people's lives in the two villages.

Of course, this is not always the case and there are exceptions. Kay Tang's father, who works for the Jockey Club, admitted that he is a more traditional father. Even though he is dedicated to his family, he does not spend much time teaching his son. "I have to really thank my wife for taking care of the household. I just go out to work and I leave everything like taking care of my son and the household to her. She even has to deal with my mother".

Children and youngsters of the younger generation have more freedom and are less homebound than their predecessors. They have more space to manoeuvre



and more freedom to choose what they want to do. Some parents are still very dominant; young villagers these days are, however, more ready to discuss their ideas with their parents, and even to defy their parents' wishes.

That adult children will live with their parents is no longer taken for granted. Options are open to the new generation. Some of them stay in the city areas for the convenience of being close to their work. However, it remains common for many of the younger generation to continue to live with their parents because it helps them save money; their behaviour might appear traditional, but the motivations behind their behaviour have in fact changed.

Many women in Wang Toi Shan spend their time playing *mahjong* and gossiping. There are grocery stores that are also used as *mahjong* dens for the villagers to kill time. Women also enjoy going out for *yum cha* and *dim sum*. They also like joining day-trips and picnics organized by district councillors, together with other events organized by the clansmen's association.

Apart from playing *mahjong* and gossiping, the older generation of men and women participate in a monthly gathering organized by the Social Welfare Department and the NGOs. They also enjoy singing karaoke, but prefer Chinese opera to popular music.

Gambling and drinking are also very common forms of entertainment in the villages, be it in Shan Ha or in Wang Toi Shan. Many men engage in one or the other of these activities. In fact, of the six villages I have studied, it is customary to gather at the grocery stores, stores which they use as venues for gambling games like

Chinese dominoes (*paai4gau2* 排九). Some also enjoy horseracing and betting on football. Alcoholism and gambling are often a source of family disputes and family violence.

Activities and pastimes in the villages suggest a relatively carefree environment that does not particularly encourage children to be as competitive as those in city areas. Even though parents do show concern about the schooling of their children, they find themselves helpless simply because they themselves are not particularly well-educated, as I discuss in the subsection below on women's opportunities in terms of education.

#### *Women and their mobility in and out of the home - generational differences*

A discussion of the lives of both genders in the village inevitably leads to an examination of women's treatment at home, the constraints they experience in terms of mobility and the extent to which they are homebound. Scholars who study women in China, and especially in Southern China, have paid close attention to women's treatment at home and their mobility (Cheung, 2003, 2007; Johnson, 1975; R. Watson, 1985). Those (Cheung, 2003, 2007; Johnson, 1975, Judd, 1994; R. Watsons, 1985) who have conducted research on Chinese women's mobility in villages have all concluded that women are more mobile and active than one might think, as I have mentioned earlier. R. Watson (1985), Johnson (1975) and Cheung (2007) suggest this in their respective research in Kwan Mun Hau Village (Johnson, 1975), Ha Tsuen (R. Watson, 1985) and Da Shu Village (Cheung, 2007) . Walled village women are, in fact, more mobile than has often been assumed. Cheung's (2007, 2009) research in 1999 and 2000 in Da Shu village suggests that women are actively

engaged in discussing village issues. They form their own social network in the villages and also engage in work. R. Watson (1981, 1985) in her research in Ha Tsuen discovered that women help out with farming and are not confined to household work alone. Women in Ha Tsuen spend their work and leisure time in each other's company. Of course, they do household and gardening chores in addition, but they also socialize with each other while doing their work and are not shut off from the outside world. Johnson's (1975: 218) study on Hakka women in Kwan Mun Hau village shows that women who married into the village were "in certain respects less subjugated than other Chinese women (they never bound feet, for example) and enjoyed some degree of independence and freedom of movement." The reason is, as I emphasise in this chapter, because Hakka women, or those who marry into Hakka lineage, have to work. Their labour is essential to the economy and they need to contribute to the family's livelihood, not just in terms of domestic work, but also work that helps to earn the family's living.

Nevertheless, the kind of mobility granted to each of the three generations is very different. Women of the older generation tend to have the mobility necessary for their work but are not encouraged to go beyond that, and are at risk of being reprimanded by their mothers-in-law or husbands should they travel too far away for other purposes. Some are even reprimanded by their husbands, as is the case of Anita Tang, if they travel for a long time. Others are constantly watched by their in-laws, and, like Kay Tang's mother, may only travel to do grocery shopping:

My mother-in-law treats me really badly. When I worked, and my boss called me, she kept asking for details, and questioned my boss and then accused me of committing adultery. When I told her I wanted to visit my parents, she would start chiding me in very bad language in Hakka.

One of the reasons why the older generation did not and could not travel away when they were young is because of the lack of an efficient transport system in the 60s. Fong Yuk-mei, who was originally from the city area of Hong Kong and married into Shan Ha village, told me that once in a while, she would take her relatives in the village to the Kowloon-side. “You can’t do it too often because buses are not often and you have to wait for a long time,” she said.

In the past 20 years since the inheritance movement, we have seen marked changes in terms of women’s mobility in the walled villages. The younger the generation, the more mobile and free they are. Of the women I talked to in both villages, many in the age group between 30 and 50 have regular work and lead active social lives. Those who have families can choose how to conduct their lives. For the younger generation, the constraints come not from their parents’ expectations of their behaviour, but as a result of their financial situation. I asked Tang Yung-nam, a 28-year-old, whether his parents interfered in his life. He told me:

My father always talks to me about how to be good. But he will never push me to do something against my will. My father would never push me on important matters like marriage. They already understood that the new generation cannot be pushed because we will not take ‘the command of the parents and the words of the matchmakers’ ‘父母之命，媒妁之言’ to decide who to marry. My parents would try to avoid this type of question at all costs because they understand that the new generation doesn’t like to be pushed on important decisions like marriage or career.

For the even younger generation, both men and women have more freedom to live, study and work wherever they want. Both men and women are given more opportunities to explore the outside world and also to travel to see the world. Cheung

Luk-see has been working in Shanghai. Jennifer and Betty Siu from Wang Toi Shan travelled to Europe and some other Asian countries a few years ago and are only in their mid-20s. Judy Tang, for example, went to the Maldives for a week-long vacation in May, 2010. She told me that she had gone there with her friends to 'take a break from work' and it is actually the second time that she has been there. Grannies and the middle-aged women in both villages are very active in joining daytrips or going on outings in general. As noted earlier, women in different households may have problems going out if their husbands are very restrictive or if their in-laws are very difficult. In general, however, they are not as home-bound as they would have been a mere 20 or 30 years ago. With women becoming more mobile, the sense of attaching themselves to and staying in the village has become less appealing to them. The idea of women creating their own individuality, or achieving individualization, is becoming more prevalent than before. This is different from what was to be witnessed in the past when women were excluded from personhood (R. Watson, 1986).

In the discussion by Yan (2006) about the young Chinese individualization, he points out there is a decline in parental authority and power in China. With urbanization and state policy that indirectly encourage young people to be independent, young women are taking the opportunities to challenge the patriarchal authority in the family. During my fieldwork, young women in the two villages are also taking the opportunities of increasing mobility to make their own decision in terms of their career, their life and their relationship.

Another change that closely relates to mobility is the increasing opportunity for walled village women to receive higher education, comparable to that of any

urban woman in Hong Kong. The older generation of women were not able to enjoy many educational opportunities. Both villages used to have village schools and education is valued as a major concern. However, women of the older generation did not have the same opportunities in receiving education as the men had. The oldest women in both villages, the over 60s, told me that women were discouraged from going to school. One of the older women in Shan Ha village told me, "Education is for men only. Even though the village school does allow girls to study, most of the time, they will need to stay home to help out". 53-year-old Mary Wong from Shan Ha told me that women were discouraged from receiving education. "My mum cares a lot about my education, so she encouraged me to study. My father did not let me go to school after I was twelve". She also told me that, even though there is no stipulation suggesting daughters should not go to school, "Boys who went to school at my time, on the first day of school, they would be given copper coins with a red rope through them to make a necklace, tied with onion (Chinese homonym of clever) and then use a skirt to cover the boy. This is to give luck to the boy so that he can excel in school. For us girls, we don't get this kind of treatment".

As in Shan Ha village, in Wang Toi Shan, there were many study-rooms which had been used in the past to teach villagers and, in addition, there had been a village school. They have now fallen into disuse as young villagers join mainstream education instead. This happens until the early 90s when more and more children were joining the schools in the urban area and the village schools were no longer in use. There were more obviously mixed signs in Wang Toi Shan of how people perceive education. I heard more stories about how the older generation were not particularly concerned about their offspring's education because they were complacent. The wealthier believe the males do not need to work and that therefore

schools are not that important. Men are not too concerned about education for themselves, let alone giving opportunities to women. Also, in common with the Shan Ha villagers, they need their children to help out on their farms and very often children, especially the eldest child, and the girls, would be asked to stay home to help their parents look after their younger siblings.

In the past 20 years, women who are now between their 30s and 50s had a chance to attend the village schools and those who were rich enough might even send their children overseas or allow them to go to university. That happened in both villages. For Shan Ha village however, it seems that more women excel in education than the women in Wang Toi Shan. Of the men and women I have known, only a few women were able to obtain a bachelor's degree and definitely more men than women were able to receive a university education. Women in this age range had very often received only primary or, at most, secondary education. Very few of them had been able to reach higher than that. This is what Judy Tang recalled about her life:

My father is a drunk and loves boys but not girls. So, I have to support myself to study. My sister already quit school at primary 6 so that the younger ones could study. I finished Form 5 but couldn't go on. It was too exhausting to work and study at the same time.

Women of the younger generation in both villages have more opportunities than their predecessors did. Parents between 30 and 50 years of age are more willing to spend a considerable amount of money and time on their children. With the demise of village education, many young villagers under 20 are therefore exposed to schools outside the village and merge into the mainstream education system in Hong

Kong. All children, be they indigenous or non-indigenous villagers, are entitled to receive nine years of compulsory education. Most of the younger generation of walled village women are exposed to good education and further educational opportunities. Some of the parents also encourage their children to engage in extra-curricular activities such as sports, music and dancing.

In fact S. Cheung, who came back from Austria to Shan Ha, has had his daughters educated at Cambridge and in Germany. When I told him that I was back from the UK for fieldwork, he was very proud to tell me that his daughter studied at Cambridge. Cheung Bing-cheung, a Shan Ha native who has moved to the Netherlands, told me proudly that his daughter “has obtained a master degree in business and she could do a PhD but she chose to work instead”. They are all very proud of having academically accomplished daughters. I could not see a trace of the old belief that it was better that women should remain uneducated, as the traditional saying advises: “For a woman to be without ability is a virtue”.

These days, in order to encourage villagers to excel, Wang Toi Shan has set up scholarships since 2001 to reward those who come first or second in their forms or class. The scholarships extend to university education. This was, according to my informant, “to boost a more competitive learning environment in the villages so that children will have a motivation to work hard and shed that lazy, complacent attitude”. The scholarship is open to both male and female walled villagers and not only suggests an attempt to change attitudes towards education in the village, but also to encourage the same motivation in boys and girls alike.



Deere and Léon (2001: 25), commenting on change in South America, note that “with the modernization of agriculture, the rise in both male and female educational opportunities, and the expansion in the number of alternative income-generating opportunities, have brought about a number of changes in these southern colonies. For one, inheritance shares have increasingly taken the form of family investments in education”. Of course, what ensues from increasing educational opportunities in South America will be used to discuss the ways in which their case could be a lesson for the female indigenous villagers. We also see that in Hong Kong, a similar situation occurred in the villages when women, despite not being able to enjoy the kind of benefits enjoyed by male indigenous villages, are now able to obtain equal educational opportunities. The result is that these young women who have obtained higher education are more than ready to leave the village and go to the cities. “We don't belong here,” says Jennifer, “We don't feel we are part of the community. I keep asking my mother to move out. But she refuses. She is so attached to the village because she feels it's her village. For us, we don't have anything here”. Young men, however, feel more attached to the village because that is where they feel they belong. Education does nothing to affect their feelings towards the village. What is implied here, I argue, is that villagers are more inclined to feel attachment or belonging to the place where their vested interests lie. This contrasts with the older generation who feel close to their natal families. This differs from arguments put forward by other scholars (R. Watson, 1981, 1984, 1985), that women of the older generation are more attached to their affines. Almost all my female informants are still very much in touch with, and sometimes even financially assist, their natal families.

The intergenerational change between mothers/daughters can also be seen from the previous ethnographic account in this chapter. Mothers in the old days seem to think that encouraging their daughters to follow their footsteps and marry early is the best way to guarantee their security in life. A number of the septuagenarians in both villages told me they never thought too much about education and other possibilities for their daughters because at that time they did not have many choices as they were not wealthy and daughters, especially those who were the eldest, would need to help out. They were trained by their mothers that they would need to shoulder the responsibility and sacrifice themselves.

Yet in the past two decades, we witness a drastic change in the way mothers/daughters relate to each other. With more opportunities in the city and the blurring of the rural/urban divide, the younger generation of women are having more opportunities. In some ways, parents have taken a more relaxed attitude towards their daughters' choices in their lives. They are also proud of their daughters' academic and work achievement. One of the village chiefs and his wife in Wang Toi Shan told me how proud he was because his daughter had graduated as an engineer from one of the prestigious universities in Hong Kong, and was working in Shenzhen and commuting between Hong Kong and China. Asked if they were worried about their daughters being too smart to get married, they laughed and replied that this generation has changed and that it is better for a girl to be able to look after herself. Younger generation daughters at the same time are more respected by their parents these days. Their mothers told me that rather than asking their daughters to help out with housework, they themselves were responsible for taking care of the household chores since their daughters had to work long hours and some of them even studied after work. Daughters give money to their parents each month to help sustain

households. And even if the daughters cannot do so because of their meagre salaries, mothers seem to be fine with the arrangement of taking care of their daughters without asking them to do too much. They once told me that since they had suffered a lot in the past, they wanted their daughters to have a better life when they were still with them. The changing socio-economic environment of the walled villages because of the blurring rural/urban divide also affects gender dynamics across generations. The change in mother/daughter relationships also reflects the change in the perception of gender roles and gender dynamics in the once patriarchal community.

Yet, for the much older generation, the grandmother/granddaughter relationship could be a bit more complicated than that of mothers/daughters in the walled villages. Generally speaking, the grandmothers still favour their grandsons because of the traditional patriarchal community. I have heard of cases where the granddaughters had bitter fights with their grandmothers because of their favouritism towards their brothers. Challenging the traditional familial arrangement seemed to be unacceptable. At one point, one of my informants told me that she left home for a few days until her mother asked her to return. But of course, there are also cases where grandmothers have doted on their daughters and supported them by looking after their granddaughters and by doing daily household chores. The intriguing and complicated relationship also reflects the impact of changes in generational and gender hierarchy; so does women's change in adaptive strategies in the gender dynamics within the household

### ***Women's change in adaptive strategies within the household since 1994***

*Uterine families: From financial to emotional security*

Unlike Wolf's finding in her 1985 book, *Revolution Postponed*, in which she talks about the disappearance of the uterine family, in the two villages I have studied, I was still able to find clear evidence of the uterine family, despite the fact that both villages have been urbanized quite dramatically. Women villagers still nurture emotional attachment to their children to secure themselves financially and also to protect them against possible abandonment from their husbands. The evidence suggests that kinship ties may be waning because of the urbanization and commoditization of the walled villages in the past two decades, but it could still be one of the sources for women to secure themselves, not financially, but emotionally. In the introductory quotation, the words of the mother of Cheung Fung-ning provide a clear example of how a mother would try to secure her future by attempting to win her son's affection. According to Cheung Fung-ning, her brother is always the one to be consulted on all things, despite the fact that he is working abroad, in England. It does not mean that her mother dislikes her and her sisters; simply that he 'is the head of the family and he should be respected'. At one point, her mother became very upset because someone invited them to a wedding and did not put her son's name on the invitation card; instead, they put her name on it.

Fanny Tang, who is now in her mid-30s and has three children, found out that her husband was having affairs almost a decade ago. Her eldest son, who is in high school, has been a fervent supporter of his mother. She had been beaten by her husband and the couple had fought a lot over his infidelity. The children all knew the stories. The son told me that his mother was really good and, furthermore, she had spent a lot of time in discussion with the children in order to get them to ask for her husband's money. He had not been paying for their schooling or their daily expenses.

So, one night, the son helped the mother to draft a note and asked his father to sign it. The note was to ensure that the father would accept his obligation to pay them monthly. Of course, it did not succeed. Even though the father signed it, he never did fulfil the monthly stipend he promised to pay. Sometimes he did. Sometimes he did not. The fact remains, however, that he is very afraid and dares not bring any of his mistresses down to Hong Kong, unlike some other walled villagers, who take the children they have with their second wives to the village. Fanny told me that she needed the support of the children to go on. She could not afford to lose because there were so many vested interests and she had to think about the future of her children.

Another story I heard is from a young mother in her early thirties who has been married to a walled village man for eight years. They have a son who is about six years old. The husband is a very decent and responsible man. The only problem is that he gives a lot of his money to his own brothers, who are in their 30s and 40s. The young wife finds that she is in a very difficult financial situation and always complains to her friends and also sometimes to their young son that “Daddy spends too much money on your uncle and your auntie and your cousin”. One time, the young son asked his father, “Do you really love them that much? Do you love my cousin more than me?” The father immediately denied it and told his son that such a sentiment was nonsense. At one point, the father wanted to take the cousin with the family for a summer trip and was steadfastly refused by his wife. His wife had argued that this was inappropriate because the child was not their son and the responsibility was too great. The father still wanted to take the cousin and so the son asked his father, “Why do you love my cousin so much? Why do you want to take him? I don’t want to be with him”. The father finally backed off.

Such stories reflect my argument about the continued existence of uterine families in contemporary walled village communities. The fact that women are now able to earn their own money does not necessarily mean that they do not also need to nurture the emotional attachment between themselves and their children. Very often in the walled village, as I have learned from the stories of my informants, women across the generations still adopt the strategies of the uterine family as a way of consolidating their influence and position in the family. Having a job does guarantee their financial security to a certain extent. However, the complexity of power dynamics here means that emotional support from the children is still the key for village women to secure their position in the family. Contrary to Judd (1994) and Wolf's (1985) account of the changing nature of the uterine families, the use of this as a subversion of patriarchal control is still very much present. Of course, the purpose of the uterine family may be different from before, when previously it existed as the primary means for women to secure their livelihoods, financially and physically.

The traditional mantra for women, the Three Obediences, states that a woman must 'obey her father as a daughter, obey her husband as a wife and obey her son as a mother'. In the past, the uterine families subverted this obedience by securing the emotional bond between sons and mothers so that the mothers' lives would be financially secure when they grew old. These days, however, the uterine families are used as a tactic for alliances beyond merely financial interests. They are more of a tool for the enhancement of solidarity to make sure that older men, who are nominally head of the family, will surrender their power to the younger generation, -

a generation which has strong emotional ties to the mothers and, in turn, are disposed to comply with their wives' demands.

These days, as women become better educated, they find themselves in a stronger position to find jobs that can sustain both the family and themselves. Financial independence, as argued by scholars and researchers, provides a safety net for women and allows them to have more choices and to be in a better position to protect themselves (Agarwal, 1994; UNDP, 2010). In the course of my fieldwork, I have discovered that women who work and are in control of their family's money, can very often assert significant influence over family affairs and even be able to subvert patriarchal control over the household.

In general, my study of the two villages shows that women who can control the family's finances, or are able to work themselves, can achieve a higher level of bargaining power and have less fear about men. Many women told me that they went out to work not only because of the Hakka norm (Hakka women are best-known for their industriousness) or even the financial need of the family. Very often, women need to have their own money, or control over the finances of the family, in order to keep a firm grip on their husbands and families. This is reflected in studies on gender relations within the household (Judd, 1994; Wolf, 1985). Urban women who have jobs and financial security no longer need to use the uterine family to secure their position and power. As they have their share and their control over financial matters and, in particular if they are one of the breadwinners in the family, they become more independent and less insecure. In Judd's study of rural women in Northern China, the uterine family has changed in nature because of changes in the state system. Men, as the head of the household, have been weakened as the state has

taken over the control that was previously theirs. Young women become one of the sources that ease the financial burden of the husband's families. In so doing, their relationship with their husbands changes as they are on a more equal footing.

Similarly, in the two villages I have studied, many women who work maintain their say over their family. Mary Cheung is one of the examples of how a capable woman becomes the mistress of the household when she is the one who is controlling the family money. I have also come across Cheung Sui Cheung's wife, who is also helping her husband. Both drive private school buses to support the family. At one point, during a dinner, Cheung's wife said of women's lives in the village, "Well, we women all need to work, don't we? Nowadays, women hold up half of the sky."

In Wang Toi Shan, this is more evident in the younger family. As women are more independent and well educated, they are now able to support themselves. Village men, who marry young village women who have their own jobs, have to turn for help to their mothers or domestic helpers. Young women can therefore take part in decision-making over the household affairs.

Women's ability to earn their own living or contribute financially has become an important bargaining chip in family affairs. Men can no longer dictate and control the family if a significant part of the family income derives from their wives. The existing phenomenon of financial independence is not just a strategy with which to bargain against patriarchal control. The gradual expanding of this phenomenon, along with the blurring of the rural/urban divide, also contributes to a new trend emerging in the village; 'girl power', a form of confronting patriarchal



control rather than working around it. Girl power confronts and challenges the established system of patriarchy and is altering the gender power relationship in the walled villages.

*The “girl power” phenomenon : women as their own bosses*

Another change in women’s adaptive strategies occurs among the new-generation of walled village women as a consequence of increasing education opportunities and mobility. The younger generation of village women whom I have met is no longer a group of shy, silent, innocent girls waiting to be married-out, as the lingering stereotype would suggest. Many of the young village women whom I know are either very focused on their futures and careers, or deliberately unconventional choosing to chain smoke and swearing their way out of the stereotypical mould. One could hardly fit these young women into the picture of ‘Three Obediences and Four Virtues’. Unlike their mothers or grandmothers, who are so distinct that one can easily identify them on the street, these younger women can easily be mistaken for one of the city girls from Hong Kong. Some have travelled to, or studied in, other places when they were young and they are ready to take on any challenge and, in particular, are ready for overt rebellion against the older generation.

Yan (2006: 105), who has studied new generation women in rural North China, has discovered that the power of patriarchy because of the emergence of girl power, which refers to rural women “between the ages of 15 to 24, or as defined by social terms, those who are going through the transition period from a teenage daughter to a young daughter-in-law”.

As Hong Kong's situation is slightly different from that in China, with women tending to marry at a relatively older age, I therefore define those girls/women to whom I refer as part of the 'girl power' phenomenon as being between the ages of 13 and 29. They are not merely moving from being a teenage daughter to a young daughter-in-law, but also beginning to develop cognitively and to respond to the outside world differently with the move to high school and the exposure to other stimuli. Their experience of the transition also means that they are able to make their own judgments based on the education they have acquired and the jobs they have taken.

Twenty-something Mabel Tang has been fighting with her grandmother over the unequal treatment that she has received. Her grandmother, apparently favouring her cousin, has given her a hard time. Mabel was so angry that she shouted at her grandmother, telling her that she is also a woman and was also born to a woman. She ignores her grandmother and does whatever she wants. "She is not the one who gives me my money. I earn my own living".

V. Tang, from Wang Toi Shan, told me that her father, even though he loves her and her sister, does not really care about her education. "My father doesn't care about my education. He always says if you can't do it, just go out to work. My mum would never say that to me. She always encourages me to find a way to finish my studies. I totally ignore my father. If he gets angry, I just don't care. Once I get a relatively well-paid job, I will move out".

Betty Siu, whose mother is an indigenous inhabitant of Wang Toi Shan, told me, "I thought that it was so unfair that women could not inherit the land and

property in the past and had to listen to whatever the men said”. Her sister, Jennifer, told me that sometimes she will tell her mother that she should not simply accept whatever comes. Rather she should fight. “Because my mother is from the walled village, my mother would listen to her brother. He would make all the decisions. I am not saying my uncle is a bad guy. But she should at least voice her opinion. She just listens. She told me this is how the walled village works. I tell my mother not to give in, especially when the decision affects the entire family. She should participate in some of the family matters. My mother just would not listen”.

In their family, however, the two young women make their own decisions. They decide what to do and how to do it. Their parents rarely interfere. Both young women went to work in the city and completed part-time degrees after work. Their parents supported them and they travelled quite extensively around Europe on their own during their late teens. They chose their own jobs and change their jobs based on their own choice. The family has never placed any pressure on them. “My parents love us. And we love them. But we make our choices. We do what we like and what we think is best”. When I talked to their mother, Heung Gu, she said, “They are very good. I try to let them do what they do. After all, they know what the world is like more than I do”.

We witness how young women from the two villages carve out their own destinies. As Yan (2006: 109) has discovered about Xiajia youth, the new generation of women prefer to “control their own fate; they enjoyed making decisions and had a strong sense of entitlement to claim their rights”. The change has been quite remarkable. Unlike the older generation who are relatively passive and ignorant about their surroundings and most importantly, are mostly illiterate (R. Watson,

1984, 1985; M. Wolf, 1972, 1985), the younger women are ready to challenge discriminatory treatment. This extends to their willingness to confront their parents or even their grandparents, and being prepared to vehemently argue with them. If they dislike what the parents or grandparents say, they simply turn away or move out. Of course, there are still some, like Cheung Fung-ming, who knows that her mother favours her brother, yet still she finds it difficult to sever the ties. "My mum is unfair. But what can I do? I will argue with her. But at the end of the day, she is still my mother."

This 'girl power' phenomenon, exemplifies "[t]he individual agency to the shifting power balance across generational lines, especially played by young women" and serves to "redefine intergenerational power relations in particular and other dimensions of private life in general" (Yan, 2006: 105). Young women in the two villages where I conducted fieldwork respond as active agents in changing the gender dynamics of households within the two villages. Girls, especially those with ample education and job opportunities in the city, are exposed not just to Hong Kong city culture, but also to international culture. The practice of making women stay in the village or work solely in manual jobs is long gone. Girls can now have their individual identities and define their own lives as opportunities for a better life abound in the city. They now have choices outside the village which can provide them with fulfilment. Cheung Lok-see said, "Anything inside the village is not really my concern. It's not because I feel I would marry out. Who cares when I have the opportunities to go out and work? I don't even want to stay in Hong Kong, let alone in the village".

The attitude of these young women is striking a blow to the existing patriarchal control which expects them to be quiet and submissive. Yan points out that in the case of 'girl power' in rural North China, it is limited to challenging the in-laws but does not impinge on the natal family. In the two villages I work on, girl power has successfully challenged patriarchal control over the natal as well as the in-law's families. It fails to go further than the household level simply because the women are not interested in village affairs. They are looking for independence and autonomy and are ready to pursue individual interests. Village affairs are rarely of concern to them because they do not feel that this is where they should focus their energies. They do not even want to know what is going on in village affairs, not because they cannot be involved but primarily because their vested interests are no longer in the village. They don't feel they belong there. Villages are facing the prospect of losing their best resources - the capable, knowledgeable young women vital to the continuation and development of village life - simply because the old patriarchal system still runs deep. The two villages remain in a stalemate without the prospect of developing a group of people that could help run village affairs. Most of the men who sit in the village councils are not university-educated and can barely read or write. The only thing that keeps them there is that they are men. Entry to the village council is not based on merit, but on their sex.

As the new-generation village women are empowered to decide their own fates, they are in a position to serve as an agent for dramatic change to the current inertia at village level. The shift in power to the younger generation at the household level also leads us to wonder what the new generation of village women can and ought to do. Some of the evidence indicates a kind of structural complicity with certain aspects of village gender arrangement. While we acknowledge that women

play an active role in steering ahead the changes within the walled villages, we also see some of the women who choose to remain complacent, in some ways, make an active choice to do so. However, the emergence of the new gender dynamics suggests a salient shift in gender relationships since the inheritance movement two decades ago. The transformation in the two villages, though different in nature because of the different situation in the two villages, coincides with changes taking place within the village community, when the gap between the once-exclusive community and the urbanites is closing.

### ***Conclusion***

This chapter explores the domestic and ritual politics of gender relations in the two walled villages and examines how gender relations are [re]produced and [re]negotiated in the wake of socio-economic transformation within the villages. As a result of urban sprawl and the gradual urbanization taking place in the rural part of the New Territories, walled villagers also adjust their practices to cater to the new demand and change within the community as a result of outside socio-economic forces.

Kinship relations and lineage, as seen from the discussion, have become less significant in the wake of urban sprawl and the rural-urban migration of the walled villages. Kin relations and ties are still an important aspect in the walled village community but they are no longer as distinct as in the past, when the community was secluded and exclusive. With the new generation becoming more mobile and better educated than those of their parents and grandparents, the living style and the practice of the new generation has departed from the old days. Solely studying

kinship and lineage can no longer be enough to understand a more complex community flooded with groups from different parts of the world and a more urbanized and mobile generation of walled villagers.

This is particularly revealing through the study of the domestic and ritual politics in the two walled villages. Gender relations are best reaffirmed and consolidated in the practice of communal rituals (Bourdieu, 1977; Holy, 1988; Pollock, 2004). The role each gender plays can be [re]produced through the practice in the household. Yet, by adopting a cross-generational perspective, gender dynamics in ritual practices and the domestic area within the walled villages can be seen as more flexible and dynamic. In fact, with women better educated than before, they can better assert their independence in the decision-making processes regarding their own lives and can even become important decision-makers in family issues. Of course, there remain some persistent elements in the gender division of labour in terms of village affairs; and decision-making remains in the hands of the village chiefs, which consist unanimously, of male villagers. The village council, which symbolizes the perpetuation of patrilineal tradition, still operates and asserts its influence on important issues, especially regarding the distribution of profits. Recent developments, however, suggest that these village councils, which used to command respect and awe, are no longer as powerful as before and are even under impending threat of extinction. For one thing, the young generation in the villages is no longer interested in village affairs. Although the male villagers tend to be more attached to the village because of their vested interest in profits and a '*ding*' house, they do not want to be part of the village council, a body which the older generation was once dying to participate in. Their jobs and their lives are their top priority and to them, village affairs are insignificant. Of the village chiefs and the members attending the

meetings, the majority are already in their early forties. As C.C. Tang, a 60-year-old villager from the second *fong* of Wang Toi Shan told me, with the government actively acquiring land from these walled villagers, very soon, the villagers could no longer live on the land that once generated immense profits for them. Eventually, the land would be gone and the only thing left to their offspring would be their own skills and education to pull them through. The village council, which mainly deals with the distribution and allocation of profits, may no longer be needed.

With all the changes, some gradual and some dramatic, occurring within the walled villages, it has transformed the relationships between the men and the women of the same generation and across generations. As patrilineal practice, though still salient, is no longer as powerful as it used to be, it leaves people to wonder whether walled village women in the walled villages could eventually be legitimately recognized as useful and indispensable members of the community. The findings of this chapter correspond to existing studies by Bossen (2002) and Yan (2009) that changes in the China, rural reforms and rural-urban migration has transformed the gender relations and even intergenerational relations between mothers and daughters in China. It also contributes to a new perspective in understanding the contemporary walled villages from a generation aspect.



## Chapter 7

### Conclusion:

#### *Intersectionality – Gender, kinship, generations and class in post-colonial Hong Kong walled villages*

This thesis sets out to understand to what extent the 1994 inheritance movement that allows women the same right to inherit properties as their male counterparts has altered the gender dynamics in the walled villages. It questions the divide that exists between men and women in the walled villages: the treatment and freedom that they have in asserting their rights; and the extent to which the division between urban and walled village women has been bridged. My ethnographic account, as well as the life stories of village women and activists, provides rich and vivid illustrations of the complexity of gendered power relationships. By conducting 24 months of fieldwork between 2008 and 2012 in the two villages, I have examined the status of village women in the walled villages. The study of the walled village women is pivotal in coming to an understanding of walled village life in contemporary Hong Kong under the new local government. The gender power dynamics within the walled villages is critical to an understanding of how customs and traditions are interwoven into the contemporary socio-political geography of the post-colonial era. This study interprets gender dynamics in contemporary walled village society, a society that has been, for decades, a major source of knowledge about rural life in China. The thesis also explores gender dynamics, which has for decades remained understudied in the scholarship on South China is rural life. The research is perhaps the first extended ethnographic work to examine gender dynamics in contemporary Hong Kong, adopting a cross-generational approach. Decades of studies of rural life in Hong

Kong and China have focused on kinship and lineage, a patrilocal and a patrilineal approach which was perhaps seminal in the study of Southern Chinese village life in the early days when agriculture was still the dominant practice in the walled village community. However, as my data reveals, this approach is still important in the study of contemporary village life in Hong Kong, or even in China. However, current ethnographic studies of contemporary China, like R. Watson's (2011) work, have already shifted the focus onto the relationship between gender and China's political and socio-economic changes. This study is therefore significant in introducing a new perspective to the understanding of current gender dynamics within the walled village community in Hong Kong and in rural life in China.

My ethnographic results, while presenting facts that show how some villagers take the tradition and social system for granted, also demonstrate some of the changes and "idiosyncrasies" occurring within the two villages, across time and generations. We see changes happening to the younger generation, but also those who still preserve their customs and practices. We also see the untidy patterns of the older generations in the two villages with practices varying in villages whilst claiming all these are 'traditions'

By looking at the intersections of gender, generations, kinship and class, the dissertation examines the dramatic changes within the walled villages and how these changes are intertwined with the transformation in gender dynamics within the walled villages. In the previous chapters, I have explored how gender dynamics change within the community since the 1994 inheritance movement. We have seen two decades of socio-economic transformation in the walled villages, accelerated by the blurring of the rural/urban divide, as well as the merging of Hong Kong with

mainland China since the handover. The intersections of all these different categories, as scholars who have adopted intersectionality as an analytic tool, are aware of the importance of paying attention to how categories, are “contested and enforced at the individual and institutional levels of analysis” (Hancock, 2007:251). As Hancock (2007: 251) succinctly points out, it is through an integrative analysis of the interaction between the micro (of individual) and macro (institutional) that intersectional analysis can work effectively in understanding how differences are working together.

In the previous chapters, the dissertation has examined how the categories of cross-generations, kinship and class, especially the socio-economic transformation of the walled village, have each affected individuals as well as institutional decisions that result in the shift of gender dynamics in the two walled villages I study. In Chapter 2, my ethnographic account of the village has provided an overview of its demographics. The discussion of the daily lives and the history of the two villages of Shan Ha and Wang Toi Shan has provided an introduction to how socio-economic changes relate to the practice and the demographics of the two villages. Chapter 3 looks into the issue of land and how the history of land in the New Territories, a gendered practice which focuses on patrilineage right at the beginning, has affected gender relations in the walled villages. The chapter also examines to what extent the legal change has impacted on different generations of women in the walled village. Chapter 4 examines how different categories of women and men are responding to the inheritance issue. It also shows how these issues are intertwined with vested interests and the political climate during the 1990s. Chapters 5 and 6 also looks into how socio-economic changes in the community have affected different generations of walled village women as well as men and how kinship, gender, class and different

generations are interacting with each other, in Hancock's (2006:251) words "contested and enforced at the individual and institutional levels of analysis" to understand the complexity of gender dynamics through time. The results show that it is a combination of the closing of rural/urban divide, continuous socio-economic changes in Hong Kong, and the in-migration of urbanites and out-migration of the walled villages that lead to the changes in gender dynamics of the walled villages. The law, which was passed to protect the indigenous women for the equal inheritance rights, serves as an important statutory and reminder to the villagers of the equal inheritance rights. In actual fact, the law does not act as a catalyst in transforming the gender relations in the walled villages, based on the findings from my fieldwork.

My ethnographic account shows that cross-generation analysis is important as a category in exploring a growing complex community like the walled villages in Hong Kong. As discussed in the introduction, previous research on China have already shown how cross-generation analysis is an important approach in studying the issue of gender dynamics in rural settings. In Laurel Bossen's (2002) study on Chinese women in Lu village, Yunnan, she looks at the different generations of women, their interactions and how their relationship reflects change in the society. Yan Yunxiang's (2006) study on "Girl power" looks into the generational difference regarding the aspects of marriage and autonomy. Yan's study provides an interesting perspective in looking at how class, generation and socio-economic change each intersected and interrelated with one another. In the study of the young generation women, Yan (2009) also looks at intergeneration changes in different aspects of women in terms of marriage. My study, apart from analysing walled village men and women relationship across generations, also looks at the intergeneration relationship

between mothers/daughters, those who migrate and those who stay and how the out-migrated women interacted with their daughters/mothers.

***Walled Village women at the intersection of status and gender in the post-colonial context***

I draw attention to the significance of walled village women by using the concept of intersectionality to try to understand how women are situated at an intersection, one in which they belong nowhere as they cannot quite fit into any of the categories, be it as indigenous inhabitants or as Hong Kong women in general. Indigenous women, therefore, find themselves triply marginalized: by the indigenous villages; by the colonial and post-colonial governments; and by the urban women in Hong Kong who show little interest in the affairs of indigenous village women.

The concept of intersectionality is important in understanding and challenging the exclusion of women in citizenship in the context of the walled village women in the New Territories: they are not included in the definition of ‘indigenous inhabitants’ when financial and material interests are involved. In addition, “intersectionality plays the useful role of challenging nationalized, racialised and sexualized versions of belonging, whether this belonging is linked to citizenship status, legal protection against discrimination or social policy” (Grabham et. al, 2009:10). The discussion becomes more fruitful when we realize, from Chapters 2 and 3, how the walled village women were marginalized and even ostracized when government and the village patriarchs were involved in planning and decision-making with regard to the walled villages’ development. According to E. Lee (2003: 14), during the British colonial era, human rights legislation and

women's rights legislation were effectively non-existent before the 1990s for three main reasons: 1) the colonial administration was unwilling to legislate to protect civil rights because they ran counter to colonial rule; 2) the British tried, strategically, to preserve the institutions indigenous to its governance structure in order to provide stability and legitimacy; and 3) the idea of gender equality was against the interests of local conservative and business interests. With all these considerations in mind, the colonial government tried to keep the village patriarchs happy by adhering to a policy of preserving the "traditions and customs of the indigenous inhabitants". This meant that they would respect the interests of the ruling class – with males as the legitimate rulers and their interests taken to be of paramount importance. In this case, the welfare of walled village women was not a concern of the colonial government until 1994. Even so, after 1994, the colonial government did not take the opportunity to push further for reform. Of course, this is also a problem within the legislative body of the government, which tries to pacify the Heung Yee Kuk.

Chapter 4 explores the movement that was borne because of the walled village women, who were at the intersections of status and gender, were being deprived of their rights of inheritance. It introduces the political involvement of external interests and how it led to the change of the century-old law. The chapter also explores the dilemmas faced by the government when the issue of female walled villagers being left unprotected by the customary law, as well as the Hong Kong common law, was exposed to the public. That was a paradoxical situation for the Hong Kong government. Opposing the change of customary law would imply that the colonial government was against universal human rights, especially in protecting the rights of women in inheritance issues. That would run counter to the declaration

of CEDAW<sup>69</sup>, of which Hong Kong was already a member. However, changing the century-old law would not just mean admitting the mistake made by the colonial government; it would also antagonize the village patriarchs who had long held patrilineage and rights of male inheritance as the de facto basis of village customs. Scrapping the old law would not merely be a slap in the face but would change the entire dynamics of life within the village. What the village patriarchs most feared was the possibility of the abolition of the SHP, a policy which, as outlined in Chapter 3, benefits male indigenous inhabitants by giving them exclusive rights to build a small house. This action, to them, would also be a challenge to the customary law and herald a possible future of change to the customs that protected the interests of male indigenous inhabitants.

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<sup>69</sup> The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. It defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

On the CEDAW website, the Convention defines discrimination against women as “...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

The Convention clearly claims that by accepting the convention, such states “commit themselves to undertake a series of measures to end discrimination against women in all forms, including:

- to incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;
- to establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and
- to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.”

As noted in Chapters 3 and 4, the whole inheritance movement has turned into a conflict which goes far beyond the issue of struggling for women's rights. It is also a battle over the preservation of traditional and customary rights, and the upholding of universal rights. The change in law may at first appear to be a triumph of universal human rights over traditional customary rights. However, in practice, as I have pointed out in Chapter 3, there are contradictory policies, adopted first by the colonial government and now by the local government, that run counter to the change of inheritance law in the New Territories. The government, in concert with the village patriarchs, still argues for, and holds fast to, the purpose of protecting male interests in the walled villages. This is in spite of the fact that the notion of preserving 'traditions' and 'customs', as I have consistently argued, is open to debate and discussion.

With regard to the village level, the situation did not improve after the current government took over. Women were still excluded from formal discussions of local village affairs. In the governmental bodies of the New Territories, women were represented in a very minor way and, in spite of the establishment of the Women and Youth Affairs Commission in the Heung Yee Kuk, not much has actually been done with regard to women's issues. Walled village women were reduced to a voiceless group because they were neither 'indigenous inhabitants' as defined by the policy, nor were they really the concern of the local (and urban) women's groups during the post-colonial period. The government has cut back funding generally for local activists and these groups have to struggle for funding. As a result of this, their priorities are certainly focused on more pressing issues that face the city and on the general interests of the majority of women in Hong Kong. Women's groups regard



the walled village women as a discrete category as a result of which the education of the walled village women is a long-term investment that, at this point, they simply cannot afford.

All of this serves to convey the sense in which walled village women are trapped at an intersection and their issues are still not properly addressed. This is partly because of the position they occupy as a marginalized group that is ignored because it does not fit in anywhere. Mainly, however, it is because of the contradiction that exists between the new law that has finally allowed them the right to inherit, and the existing policy that prevents them from erecting a house of their own. This contradiction in turn is inseparable from the argument in this thesis that the women's inheritance movement was inspired as much by interests in property rights as in women's broader gender rights. This is also the reason why the inheritance movement, which resulting in the new law and the protection of broader gender rights, is at odds with the customs which protect the male villagers' property interests. This explains why the movement cannot be taken further.

Another contentious issue, as discussed in Chapter 3, is the changing meaning of land in the New Territories and the extent on which indigenous rights are applicable to the contemporary walled village society in the question of land. Are 'indigenous rights' and 'women's rights' mutually exclusive? An even more important question is, *should they* be 'mutually exclusive'? This question is, in fact, synonymous with the questions of whether universality and cultural specificity are dichotomous. While the village patriarchs argue for respect for their tradition and customs as 'indigenous inhabitants', the village women and women's groups call for respect for 'women's rights', presented as one of the important aspects of

contemporary human rights. In this respect, we witness how these categories of differences play a role in excluding walled village women from the inheritance rights. Also these categories of differences are interplayed and affecting individual and institutional decision, which leads to ignorance, indifference, even rejection of change. In Wendy Hulko's (2009) essay of intersectionality and interlocking oppressions, she explains how her own multiple identity could become render her into a subject of oppression. As a white, Anglo Canadian, upper-middle-class female, she enjoys privileges until her bisexual orientation and her same-sex partnership status are revealed. She also points out how categories of differences may render a subject into multiple forms of oppressions in different levels. And individual as well as institutional decision on a subject also depends on his or her particular social locations. This is reflected in the situation of the walled village women when we see how they are subject to multiple forms of neglect and discrimination.

***The changing meaning of land to the community and its effect on changing gender dynamics since the inheritance movement***

Another important issue that exemplifies significant changes in the walled village community is the changing meaning of land. Chapter 3 explores the changing meaning of land in the New Territories. Land, which was once significant in maintaining clan cohesion and patrilocal and patrilineal tradition, has lost its original purpose. Land has become a commodity that generates immense wealth for the walled villagers. Instead of preserving it for their consumption, land has been sold to the government or property conglomerates for profitable gain. Under the SHP, male walled villagers are allowed to erect a small three-storey house that, later on, can be sold or rented out for profit. The colonial government policy, together with the

commodification of land and their houses, originally designed for self-consumption, has consequently altered the kinship pattern and the patrilocal and patrilineal tradition of the villages. The ethnographic account in Chapter 3 has demonstrated how the changing meaning of land has impacted the demographics, as well as the gender dynamics in the two walled villages, which differs in terms of the customary practices (one open to outsiders and one close to outsiders). Throughout the chapter, I have shown that customary practice and existing government policy may hinder women's inheritance possibility. However, because of the changes in the value and meaning of land, different generations of women are responding to the change differently. The younger generations who have opportunities out in the city or overseas choose to leave the walled villages because village lives are not what they desire. Those who have out-migrated but are coming back for work or having second generation returning to Hong Kong may choose to stay in the walled village should the customary practice allow them. Those who married-in are concerned about the profit they can reap from rent or sale. Those who have married-out from the natal village will try to stay away from getting involved in inheritance. Some who are still living in the walled village with their parents will try to comply because they do not want to destroy the familial relationship. Some who do not want to accept the arrangement may choose to leave. Unlike the previous generations where options did not abound, in the past two decades, with better opportunities coming up for the walled village women as well as for men, gender relations have become more fluid and unstable than those witnessed in the ethnographic accounts of the older generations.

The legal change is complicated by the contradiction with the existing policy and the customary practice in individual village. The critical factor that affects

women in securing their land and property rights, when parents die without a will, is the existing policy – that which allows only males to erect a house in their own village, a contradiction of the current inheritance law that allows women to claim their parents' land and properties. The SHP has been a controversial issue since its implementation and has now become a liability for the government as the number of male walled villagers keeps increasing while land becomes correspondingly scarce.

My discussion in Chapter 3 introduces different kinds of cases that I discovered during my fieldwork to prove how the SHP has been one of the key factors obstructing women in claiming their rights. The current policy, which allows only male indigenous inhabitants to enjoy rights, is not just depriving women of the opportunity to assert their own right to claim their parents' land, but worse still, ensure that whoever wants to build their own house will need to buy the '*ding*' rights. This situation carries the devastating consequence that village women can never erect their own house on their own land. These women will therefore always be 'Other', dependent upon men to give them a name and a house on the piece of land that each inherits and which bears her family name. A woman can never be truly independent and will always have to work around the system because, as the situation stands, she cannot lawfully build a house. This blunder is not only because of the intervention of the village patriarchs, but also because of the connivance of the then colonial government's policy. E. Lee (2003) suggests that the colonial policy adopted by the British government was "a complex situation of selective intervention and non-intervention by the colonial state, often according to the strategic need to maintain effective domination"<sup>70</sup>. In the case of the walled villages' land settlement,

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<sup>70</sup> See also Cheung, S.K (2007). *Gender and Community under British Colonialism*. London: Routledge

the British colonial government never hesitated to intervene if it thought it was expedient to do so. Cheung (2007: 145) comments on the intricate relationship that exists between British colonial rulers and the Chinese patriarchs in the walled villages:

These life stories of my discussion support the gender-sensitive argument of an adverse symbiosis between British colonial rule and Chinese patriarch[s] in the sociopolitical governance in the New Territories. By concentrating on the colonial reification of Chinese lineage organization in the name of respecting 'Chinese tradition,' my discussion indicates that at the practical level, British colonial rule subjected the women in Chinese communities to extreme patrilineal and patriarchal institutions.

When the new local government took over, it stayed away from the issue because, as I have revealed in Chapter 3, the issue was too sensitive. The current administration understands the 'discriminatory nature of the policy'. Nevertheless, it has not taken decisive action since this would involve strategic parties and the possibility of pandemonium should they decide to change the policy. This happened in 1994 with the change in inheritance law, and again in 2001 as a result of the two-headed system. Such unrest would be a more severe blow to the government as it involves vested financial interests and the redistribution of power. With this lack of will to prevent change to the current policy, it seems that nothing will be done in the foreseeable future.

### ***The erasure of the rural/ urban Divide***

Another main theme that emerges in this study is the question of the rural/urban divide. This divide, which has for decades separated the rural and the urban dwellers

- the non-indigenous and the indigenous inhabitants - has led to misunderstanding, ignorance and indifference between the two groups. The divide has also contributed to dissenting views over the 1992-1994 inheritance movement in the legislative council, the legal body critical for the change of the unequal inheritance law in the walled villages. This divide, which has always been understood to exist but never openly revealed, was made publicly known in the struggle for legal equality by the walled village women. Subsequently, it is also this divide that obstructs further policy changes that could allow indigenous women to fully exercise their rights.

However, in recent decades, the closing gap between the rural and the urban has, albeit involuntarily, induced changes to the walled village community. The closer link between the rural and the urban area has made the walled villages attractive spots for rent or sale, especially as their rents are cheaper than in the urban areas. The opening up of the walled villages for rent or sale also brings unexpected consequences. While walled villagers are moving out because of urban-centredness in the Hong Kong community, as well as the promise of a more sophisticated and exciting, vibrant and convenient life, others, such as urbanites who work in the New Territories, or the ethnic minorities, also see job opportunities in the warehouses in the walled villages. These people have moved into the walled villages for their affordable rents and proximity to work, and to the ethnic minorities it is closer to their social network. These changes have not only altered the demography of the walled villages but also brought forth dramatic socio-economic changes to them. Once exclusive and tight-knit, the walled village community now needs to brace itself for changes due to commodification of their land and properties, and to succumb to the lucrative profits brought about by this demographic shift.

Another major theme that is borne out of the discussion of the rural/urban divide is the notion of structure and agency. To what extent customary practices and tradition are governing the ways of the walled villagers living and whether, and to what extent, if any, are people able to act as agents of change? Are traditions and customs a set of inflexible, unchanging rules or are they a set of practices that are capable of flexibility and change as society evolves? If we are talking about preserving the traditions and customs of the indigenous inhabitants, what is the set of customs on which our consideration should be based?

In Chapter 3 and in subsequent chapters, I argue that customs and culture are not static systems that allow no flexibility when situations change. What I have proposed, as supported by the evidence shown in Chapters 5 and 6, is the malleability of culture. As other scholars (S.Chan, 1998; Merry, 2006, Yuval-Davis, 1997) cogently contend, culture and tradition are dynamic and can evolve over time: "...[i]dentity, ethnicity and culture are subjective constructs resulting from particular sets of social relationships in specific sociopolitical contexts and from the deployment and manipulation of certain notions" (S.Chan, 1998: 39). Judd (1994: 255) argues eloquently for the flexibility of custom "to permit – and to facilitate – disjunctures between official models of structure and actual practices. Through customs, people create and recreate strategies and accommodations with which they negotiate their way in the fractures of the social order". Her point explains why there is always a disjuncture between rural society and legal systems. It is also my contention that custom, identity and tradition can be renegotiated. There is always flexibility in the systems of culture and tradition. They are constructed to suit the convenience of a particular group, at a particular moment in time, in a particular place; and they are passed on as an indication of group identity. The precise nature of

these indications, however, as I have shown in Chapters 5 and 6, has changed considerably through the actions of time and outside influence.

Even for patriarchal systems across the world, they are fluid and dynamic, existing in different forms and varying across cultures and countries. As Hongdagneu-Sotelo (1992: 393) sums up, “Patriarchy is a fluid and shifting set of social relations in which men oppress women, in which different men exercise varying degrees of power and control, and in which women resist in diverse ways (Collins, 1990; Hooks, 1984; Kandiyoti, 1988; Baca Zinn et al. 1986). Given these variations, patriarchy is perhaps best understood contextually”.

From the ethnographic evidence I presented, in the case of Hong Kong, it exists in the urban areas as well as in rural Hong Kong. Women in urban Hong Kong have suffered oppression from patriarchy as much as rural dwellers have. Cases like the selling of women and of working daughters – young women who had to sacrifice their educational opportunities to provide financial support for their younger siblings, were prevalent in early 20<sup>th</sup> century Hong Kong (Jaschok and Miers, 1994; Salaff, 1981). Be it in rural or urban areas, women suffered different forms of discrimination and oppression. It is at the local level, however, that we see differences. We witness a change in the development of gender equality and the discrepancy in women’s empowerment between the rural and the city area. Recent decades saw an improvement in terms of gender equality in the urban area. Educational opportunities allowed urban women to advance themselves and to better their positions in every respect. This progress, however, can be seen only recently in the walled villages. As I observe in Chapter 6, walled village girls were not encouraged in the past to go to school because their parents regarded this as



unnecessary. It was not until 1978 that the British government imposed nine years of compulsory education for all children from the age of six and until they reached the age of at least fifteen. Even so, for the generation who should have benefitted from this policy, many of the walled village women were told not to continue their studies once they reached fifteen and that they would need to work on their own if they wanted to pursue their education. This situation has improved in the walled villages in the past ten years as the rural/urban divide has become narrower. Nevertheless, those who are well educated are finding that the walled villages are not where they belong, or are too small for the scope of their dreams.

It is therefore possible to conclude that a combination of several factors contributes significantly to an understanding of how gender power relations evolve as changes occur in the socio-political environment. These include: issues of patriarchy and how walled village women function within the nexus of patriarchal control in the walled village at the village and para-village level; the political and social transformation outside the village; and changes within household power dynamics. The life stories of the walled village women and men provide an invaluable gateway to an understanding of gender power relations in the public/private domain and how the participants view themselves in gender power relations. The results obtained show that generally women, though active in the private, household domain, are relatively inactive and lack channels for expressing their opinions directly in village council meetings. They often do so indirectly, either through discussion with their husbands, their affines and friends in the village, or by discussing issues with local authority in the form of the district councillor. However, in the course of my fieldwork, I have seen women are increasingly active in village affairs, though in terms of decision-making, it is still village men who are in control.

In Shan Ha village women are more active in participating in village council affairs because of the out-migration of the village men. This notion of confining men to the public realm, and women to the private, is a fiction, according to Yuval-Davis (1997). The division into public and private domains is used as a way to “exclude women from freedom and rights” (Yuval-Davis, 1997: 6). As shown in Chapter 4, “the boundary between public and private”, as also pointed out by Yuval-Davis (1997: 6), “is not fixed”. It shifts and expands and is often unstable. Taoist priestesses may now be considered suitable to preside over the Jiao festival, an important event for many walled villagers. The possibility of using a Taoist priestess was totally unthinkable in the past, let alone asking them to tender a quotation for hosting an event.

Women’s status, according to my analysis in Chapters 5 and 6, varies across generations. This is a complicated and continuing process, a process of contestation and negotiation. Dramatic improvements in women’s economic and social status, coupled with new opportunities in the city in terms of jobs and education, allow the new generation of walled village women to plunge into a world that is markedly different from the established paternalistic and patriarchal community of the villages. Unlike their predecessors, who must work around male control in the walled villages, the new generation of walled village women choose to stay out of village affairs because they simply do not feel they belong there. In a day-to-day context, despite incidents of women’s participation in some of the Shan Ha village festivities, in the public domain permitted by the patriarchal institution, walled village women in the two villages are reduced to complete silence in decision-making on major issues. The discourses used within the village meetings I attended never addressed particular women’s issues. In the meeting with the government to discuss compensation for the construction of the national rail project, women’s

voices were never represented because no women attended the meetings. Even in the meetings among the villagers themselves, no women were encouraged to attend. Women themselves, as I indicate in Chapters 5 and 6, were not particularly keen to take part simply because they are used to the traditional patriarchal framework for discussion that excludes female voices. The hegemonic discourse which asserts that “these are man’s things; it has always been like this” could be heard whenever I asked about why women are not allowed to take part in the discussions of some of the major issues.

That brings us to women’s roles in contributing to the current gender power dynamics in the walled villages. To what extent have women been trying to lobby for higher status and greater participation in village affairs? The harrowing life stories of the walled village women activists, presented in Chapter 3 and 4, exposes a striking picture of how walled village women struggle to survive in the 90s. I have also discussed in Chapter 6 how women strategize under patriarchal control. I argue that changes in the social and economic circumstances of women have encouraged walled village women of the new generation to take a more confrontational approach towards patriarchal dominance, in stark contrast to the previous generation. Nevertheless, an interesting finding suggests that even with rapid transformation, socially and economically, women still continue to adopt established strategies in subverting patriarchal control, contrary to the findings of scholars (Judd, 1994; Wolf, 1985) who work in villages in Mainland China. Be that as it may, we can also see a separate reason for adopting those means. In the past, those strategies were deployed by women to secure financial autonomy. These days, however, with women becoming more independent financially, they are using established strategies to secure emotional ties and their position in the family, rather than to achieve strictly

financial ends. Their strategies serve as a means to consolidate their power in the family and as a way of asserting control in family affairs. As demonstrated in Chapter 5, and also noted in the introductory chapter, women are now embodying multiple identities: that of being a walled villager; a rural-urban migrant; even a cosmopolitan citizen of the world. As a result they are now able to navigate freely between these systems. As explained above, Bourdieu's doxa and habitus can be used to show that these women exercise agency but only within social conventions. It is for this reason that most of the walled village women seem to take the villages' customs for granted or, if they want to initiate changes, they work within the acceptance of their customs. Some of them do not even initiate or feel the urge to do so since they have accepted the system as it is. At the same time, they are also moving around other systems and other practices in the urban area or even overseas. To them, there is no urgency for them to change the existing convention with their walled village belief. Yet, with the rural/urban divide growing closer, some of the customs and practices have been transformed with dramatic socio-economic effects over the past decades. Walled village women, now with ample opportunities, are also unconsciously inducing change to the places where they belong.

The changes evident in methods used to counter patriarchal control also remind us that women are already contributing to changes of the two walled villages in different ways. Different generations, with different experiences in life are [re]shaping gender power dynamics in the still-patriarchal walled villages. The story of Fong Yuk-mei, of campaigns within Shan Ha village, of overseas migrants who visit and send remittances to the villages, of married-out daughters who move into Wang Toi Shan and of, some urbanites like me who move into the walled villages suggest that women are capable of changing village dynamics and of carving a niche

for effective negotiation in village affairs. Changes do not happen overnight, as I conclude from Chapter 6, but are already evident based on my ethnography. There are signs suggesting that women are more active in village affairs and in organizing festive events. Because of the blurring urban/divide, walled village women are increasingly mobile and subsequently their identity becomes blurred. The phenomenon of out-migration of the villagers and in-migration of outsiders from the chapters suggest that changes in the villages are inevitable. The rituals which still exist in the two villages, like that of lantern lighting or tomsweeping are used as a means to maintain kinship and reminds the villagers the importance of their lineage tradition. This is in tension with a number of other variables like generations, class and gender. Different generations perceive rituals in different ways and their class and gender also affect individual's decision in participating in these events. The original function of these events also changes and is perceived differently according to gender across generations.

These changes within the two walled villages ironically do not particularly encourage women to fight for their own rights openly. The women's movement for the female walled villagers on gender equality is silent. Ordinary walled village women are not particularly motivated, and neither is the government particularly concerned about improving women's rights in the walled villages. Local women activists are finding it difficult to work on educating the walled village women about their rights because of the lack of funds to do so. Walled village women's activists are finding the issue of women's rights very sensitive and see that they have to tread carefully. They know the women need more rights, but how can walled village women be one day recognized as an equally important force of life in the walled village community?

While we see significant transformation in gender dynamics, some resistance against drastic change in the walled villages can also be seen in Chapters 5 and 6. The village community has either been supplanted, discarded or is still controlled by dogmatic and old-fashioned patriarchs who resist any form of dramatic change. My own personal experience supports the sense of how strong the resistance is, even when a proposed change is a constructive one and in the interests of the village community. Changes are happening dramatically in the walled village, especially on gender dynamics. But there still lies amongst the villagers fundamental prejudice and biases that could obstruct a comprehensive transformation within the community.

## **Epilogue**

***“How to live a life with integrity? Difficult...”***

Two months after my interview with a woman activist, who also happens to be a walled villager, I received an email from her - one she forwarded to me about her conversation with her male relative on the lives of walled village women.

*Dear young master No.4,*

*Yesterday, the New Territories Indigenous Women's Gospel Church invited me to attend the burial service of Reverend Tang Cheuk Man's mother, organized by the*

*US Californian Overseas Chinese Baptist Church. Even though you didn't attend the funeral service, I saw the wreath sent by you on behalf of the Ping Shan Rural Committee. Your brother spoke in detail about the life of your mother. I was very moved by his words. When she talked about how his mother worked hard for her entire life without complaining and how she lived her life especially after her children had their own families, I thought about how other walled-village women lived their lives. (I have heard that they are now more involved in the community). This is because two months ago, Miss Ng from the Division of Social Studies in City University of Hong Kong invited me for an interview. When asked about how female indigenous inhabitants can live a life of integrity, my answer was, "Difficult"<sup>71</sup>.*

The message from the women's activist - a first-person account - yields further insight into the discussion of walled village women and how they can act as agents of change. In chapters 4, 5 and 6, we have seen how women can act and have acted as agents of change and what could happen when they interact with the established structure.

We have witnessed a progressive transformation within the walled village communities and we anticipate a steady continuation of that change. The divide has been narrowed, but it has not yet been closed. At this point in the history of walled villages in post-colonial Hong Kong, the walled village women are already merging with the urban women in a lot of ways, still there is this invisible boundary that divides their men and themselves, and between village women and those from the city, to finally be bridged.

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<sup>71</sup> Received January 15, 2010

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